URBAN\MUNICIPAL
CA4 ON HBL A05
C51F31
1997

AGENDA

FINANCE AND
ADMINISTRATION
COMMITTEE

JAN. 21, 1997 ...

URBAN\MUNICIPAL
CA4 ON HBL A05
C51F31
1997

URBAN MUNICIPAL

JAN 23 1997

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 January 21
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

DELEGATIONS

A. Art Gallery of Hamilton - Addition of artwork to the Irving Zucker Sculpture Court

B. Hamilton Region Conservation Authority - Update on Current Projects and Issues/Request for support of their request to the Region for tax exemption for their Rail Trail project.

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **FOUNDING BOARD - GREATER HAMILTON DOWNTOWN COMMUNITY DEVELOPMENT CORPORATION**

   The Downtown Hamilton Partnership

4. **CHIEF ADMINISTRATIVE OFFICER**

   (a) The Downtown Hamilton Partnership

   (b) Appointment of Acting Fire Chief

   (c) Reclassifications - Building Commissioner and the General Manager of Non-Profit Housing

5. **TREASURER**

(a) Sale of Tax Arrears Properties - 1996 November 26

(b) Realty and Business Tax Prelevy Mill Rates for 1997

(c) Requested Information Report - One Hour Free Downtown Parking

6. **CITY SOLICITOR AND TREASURER**

606 Aberdeen Avenue - Rothwell Properties - Tax Collection Procedures

7. **ALDERMAN D. DRURY**

Licencing Fees

(a) Information Report - City Clerk - Business Licenses and Increase in Fees

8. **BUILDING COMMISSIONER**

(a) Development Charges Complaint - 82-90 Stinson Street

(b) Integrated Management and Tracking System for Building Department

(i) Recommendation - Treasurer - Financing of the Increased Costs - Integrated Management and Tracking System for the Building Department

(c) Development Charges By-law 95-176 - 1997 Rate Increase

9. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

(a) Award of Contract - Central Utilities Plant - Chiller Overhaul

(b) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

(c) Proposed Lease Agreement - Part of 80 Arkledun Avenue

10. **ACTING FIRE CHIEF**

Memorandum of Agreement - 1995 - Hamilton Professional Fire Fighters Association, Local 288

11. **CORRESPONDENCE**

The Hamilton Firefighters Drum Corps - Repayment Proposal

12. **OTHER BUSINESS**

13. **ADJOURNMENT**

DEC - 5 1996

ART GALLERY OF HAMILTON

A.

November 18, 1996

Alderman Bob Charters
Chair Finance & Administration Committee
Corporation of the City of Hamilton
Hamilton, Ontario L8N 3T4

Dear Mr. Charters:

Through the generosity of a Foundation and the Canada Council, who have specifically provided money for the purchase of an artwork, we were able to contribute an important sculpture to the Irving Zucker Sculpture Court on Commonwealth Square.

This monumental work is entitled **Breath** and is composed of two elements which are described in the attached information. We would like to situate this sculpture in the Sculpture Court, and are asking your approval in this case because it will be necessary to move two sections of benches.

We have reviewed the matter with Rob Swan of the City of Hamilton and he suggested that we forward our request to the Finance and Administration Committee.

Accompanying this letter is some background regarding the work, the reason for placing the sculpture in the location being proposed, as well as an indication of the Art Gallery of Hamilton's responsibilities with regard to this addition to the Irving Zucker Sculpture Court. We will be happy to make a presentation to you at an upcoming Finance and Administration Committee meeting to provide you with more information, should you require it.

Yours sincerely,

Ted Pietrzak
Executive Director

Enclosure

cc: Ihor Holubizky, Senior Curator
John McEwen
Cheryl York, Arts Coordinator, City of Hamilton

123 King Street West,
Hamilton, Ontario,
Canada L8P 4S8
Tel: (905) 527-6610
Fax: (905) 577-6940

ART GALLERY OF HAMILTON

January 14, 1997

Ms. Susan Reeder
Clerks Department
City of Hamilton
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Susan:

I received the material that will be presented to the Finance and Administration Committee and have included additional material, which apparently was not forwarded to you. The enclosed material will give you a clear indication of the piece and location.

The weight of the piece is approximately two thousand pounds spread over a significant area. This would not pose any problem to the structure beneath Commonwealth Square.

I hope the material is helpful to the Committee in making its decision.

Yours sincerely,

Ted Pietrzak
Executive Director

Enclosure

cc: Dan Vyce, Director of Property

123 King Street We
Hamilton, Ontario
Canada L8P 4S8
Tel: (905) 527-66
Fax: (905) 577-6

An Addition to the Irving Zucker Sculpture Court

Sculpture being Proposed “Breath” by John McEwen

Occupying a Service Area of Approximately 20' x 24'

Specific Size of the Work - Approximate Star Forms 6' x 18'

Sign and Pole 2' square (Service Contact 20' high)

Welded steel, aluminum and mixed media

Approximate weight

Location

Diagrams are attached which sight the sculpture on existing pavers almost in the direct centre of the Sculpture Court south of the existing water poles.

Breath is an important addition to the Art Gallery of Hamilton's collection. It represents the work of a well-respected Canadian artist who featured the work in his solo exhibition at the Power Plant Art Gallery in Toronto, in 1995.

The work has two distinct features, the first being the star forms made out of steel plate and sheet. These are powerful and very expressive elements providing a suggestion that they have been constructed through some giant machine. They are sighted in the proximity of a sign pole with an illuminated image of the head of John Daire, a portrait by August Rodin. This teetering sign with its forlorned expression creates a dynamic tension between itself and the star forms. Rodin, an accomplished artist 'star' during his time, is now in juxtaposition with Modernist ideas which utilize new technologies and new ways of expressing themselves.

The sculpture poses questions of the relationship of what is stardom, what is value, what is the relationship between the old and the new, the museum and its ability to attribute value and create stars from artists.

The work will be the first by John McEwen in the collection of the Art Gallery of Hamilton and will be a strong compliment to the other sculpture located directly south of the existing building.

Sighting the Work

Though a great deal of space is available to sight the work on Commonwealth Square the exact sighting was determined by the artist and the Curator to be of greatest advantage for the viewer as he or she may relate to the piece, the other works of art and the Art Gallery of Hamilton which surrounds it. There is a relationship between this work and another Modernist work by Kosso Eloul called **Canadac** which is a powerful statement in steel. **Breath** will be seen, and its reference to **Canadac** will not escape the viewer. These types of experiences can only be realized through proximity and have a powerful impact on a conscience. It allows new ideas to be generated which speak about how artists use contemporary technologies and materials and also about trends in Modernism from abstract to representational images. The sighting of **Breath** took into consideration the existing sculptures and traffic patterns as well as the rise in grade just in front or south of the piece placement. It has also been placed to make a connection between the bronze sculptures which are handled in a much more traditional material and conventional way, and the contemporary works further north. The image of Rodin's head, with its relationship to the forecourt, and the star shapes, with their relationship to the backcourt, make it an excellent piece that accommodates this transition.

Responsibilities

As with the other works of art placed on the Sculpture Court, the City has no responsibility in terms of their installation, maintenance or insurance. These responsibilities are accepted by the Art Gallery of Hamilton. In this case, two sections of bench would require moving. This move would be done by under the supervision of City staff, but by those contracted by the Art Gallery of Hamilton with the cost being covered by the Art Gallery of Hamilton. The benches will be moved to an appropriate location west and perpendicular to their present sighting.

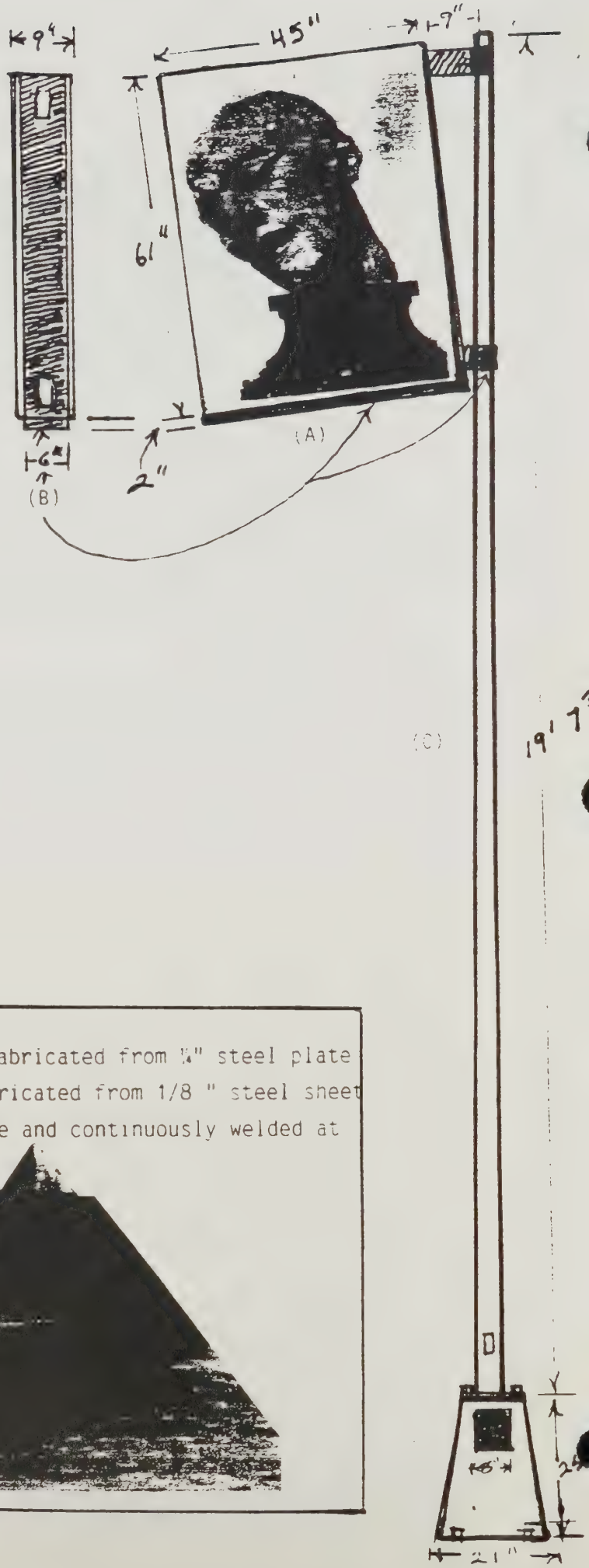
BREATH - PART ONE (head by Rodin)

(A) Double-sided electric:sign:
- CSA approved - series A 616157
- 110 volts, 60 cycles, 4.5 amps
- dimensions - 61" x 45" x 9"
- hinges from top for access to images & tubes

(B) Sign bracket - steel channel 6" x 2" x ¼" + 4" x 2" x ¼" sq. tube, with 6" x ¼" six-sided collars that slip fit to pole.

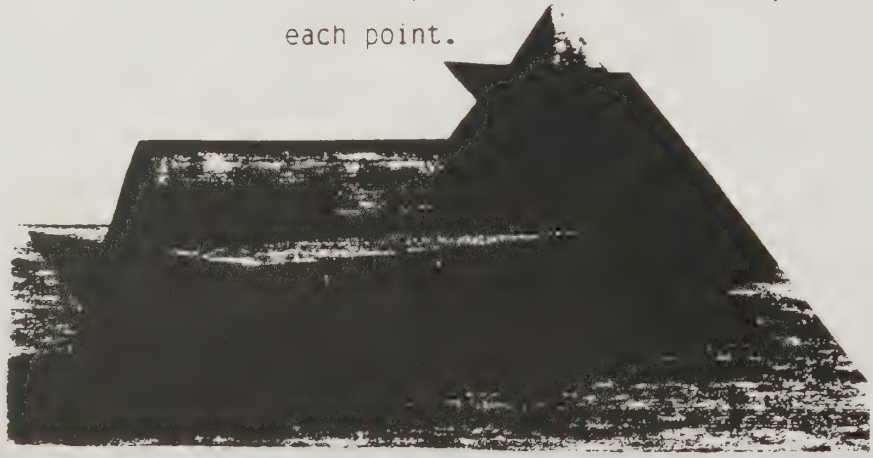
(C) Sign pole - six-sided POWCO pole tapers from 4" to 7½" over 19' 7 3/8", with a 10½ " sq. bolting plate with four 1" dia. bolt holes.

(D) Bolting base - ½" top plate to match above with continuous welded ¼" plate sides and bottom.
- 8" sq. access door.



BREATH - PART TWO (the extruded stars)

- each unit 50" x 120" - end profiles fabricated from ¼" steel plate
- four sides fabricated from 1/8 " steel sheet bent to profile and continuously welded at each point.



(B) - the primary practical reason for utilizing existing foundation wall would be to allow a simple bolting system , such as used at the Power Plant where the Pole load was spread horizontally by adding to bolting base (see (d) in drawing) a 46" dia. x ½" steel plate. bolts are then drilled in slab and epoxied.

- the last reason for suggesting a location primarily on the foundation wall would be to allow the second'rising'star to drop below grade. This might be accomplished by utilizing the drop in grade near the two steps.

- in consulting a landscape architect it was speculated that the bench is placed on the wall to act as a pedestrian barrier to that grade change around the two steps.
I would expect the placement of/the replacement of the bench by the sculpture to accomplish the same task.

John McEwen

cc Olga Korper



John McEwen
siting for
"Breath"

location of pe
section

- FIXTURE & POLE
- FIXTURE - WALL MO
- FIXTURE ON EXIS

"stair sections
can be locate
in this area

No	Date	By	Revisions
Design			Drawn
Checked			Date

Scale 1 : 200 METRIC

City of HAMILTON

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John McEwen is a senior Canadian artist and sculptor who has produced mature and critically received work in Canada, the United States, Europe and Japan, and an exhibition history starting in the late 1960s. His public art commissions and permanent outdoor works include the World War II Memorial at Coronation Park (Toronto), the RCAF Hall of Tribute at the National Museum of Aviation in Ottawa, Asquith Green Park (Toronto), the McMichael Canadian Art (Kleinburg), and the University of Lethbridge (Alberta). McEwen's work has been considered for the Art Gallery of Hamilton collection for the past few years, with the intent of adding a work of significance and having the potential for interpretative relationship and connections to the Gallery's sculpture collection.

Since the dedication of an outdoor sculpture space at the Art Gallery of Hamilton in October 1994, and the permanent installation of sculptures donated by Irving Zucker (including works by British artists Lynn Chadwick and Barbara Hepworth, and Mexican artist Francisco Zuniga), the Gallery has recognized the need for a contemporary work in addition to Kosso Eloul's *Canadac*, which was selected from a 1977 competition on the occasion of the opening of the new building. In 1995, the Walter and Duncan Gordon Charitable Foundation approached the Art Gallery of Hamilton with funds to assist the Gallery in acquiring an outdoor sculpture. John McEwen's *Breath* was selected - after a year of deliberation - as the most appropriate work for the collection and site. Matching purchase funds were awarded by the Canada Council in the Fall of 1996.

Breath was first exhibited in a solo exhibition at The Power Plant, Toronto (Summer 1995). It contains elements which have appeared in McEwen's work over the past few years: the star motif, references to historical and contemporary monuments and institutional culture, and the use of found material.

Breath addresses the condition of sculpture at the end of the 20th century - the modern age - and refers to "ubiquitous" urban material culture, the light standard and billboard. It also addresses the condition of the museum as the custodian of artifacts in the backlit image of *Jean d'Aire,* Auguste Rodin's (French 1840-1917) study for *The Burghers of Calais.* In this manner, the sign component of *Breath* can be read as a sign of Western art and culture. Permanently installed in the outside sculpture court, *Breath* has the potential of serving as a landmark for the Art Gallery of Hamilton, in addition to being visible at night. In its proposed siting, between the Gallery and Hamilton City Hall, it can provide another code and poetic statement - the relationship between art and culture, history and politics (in Rodin's monument, the interpretation of an historical event - the conflict between the city of Calais and England's Edward III in 1347).

The Art Gallery of Hamilton currently holds two sculptures by Rodin in the collection, including a late 19th century reduction cast for *Jean* d'Aire. The Gallery will install this work inside the building as an interpretative link John McEwen's *Breath.*

"Copy sent to J. Pavelka, Chief Administrative Officer and A. Ross, Treasurer - 1997 January 15th".

B.

Hamilton Region Conservation Authority

November 18, 1996

Mr. Joseph Schatz, City Clerk
City of Hamilton
71 Main Street West, 2nd Floor
Hamilton, ON
L8N 3T4

Dear Mr. Schatz

Re: Request for Realty Tax Exemption

As you are probably aware, the Regional Municipality of Hamilton-Wentworth (Region) recently approved a policy which provides for tax exemptions of non profit organizations under Section 210.1 of the Municipal Act. For your information, I am enclosing a copy of same.

We have discussed the policy with the Regional Finance staff to determine how the policy may apply to the Conservation Authority. Based on these discussions, it is our intent to request the Region to exempt the Conservation Authority from the payment of realty taxes on its various **Rail Trail projects**.

The Conservation Authority now owns ± 20 kms of railway corridors. In addition, the Conservation Authority will complete the purchase of another 15 km rail corridor in East Hamilton and the Township of Glanbrook. All of these corridors are part of a Region-wide trail network. For your information we are enclosing a map showing the Rail Trail corridors which are already, or soon will be, owned by the Conservation Authority. The sections identified in red are located within your municipality.

Our application to the Region for a tax exemption is to include written notification from the affected area municipality, stating their support of a tax exemption request. In order to fulfil this requirement, we herewith request the City of Hamilton to support our application for a tax exemption covering the trail sections shown in red on the attached plan. These sections represent those portions of the railway corridor located within your municipality. Their total length is ± 2.5 kms, and the width is ± 21 metres.

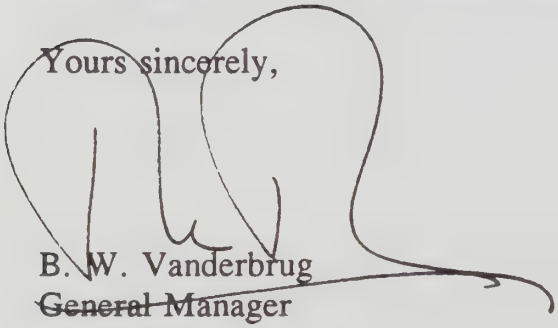
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P.O. Box 7099, 838 Mineral Springs Road, Ancaster, Ontario L9G 3L3 • (905) 525-2181 or 648-4427 • Office Fax 648-4622 • Shop Fax 525-2214

We were recently advised by the Region that our request for a tax exemption must be submitted by mid December at the latest. Your early consideration of this request would therefore be very much appreciated.

Please feel free to give me a call in case more background information is needed. I would also be pleased to attend one of your committee/council meetings if so required.

Yours sincerely,



B. W. Vanderbrug
General Manager

BWV/mn

encl.

cc Terry Anderson
Marvin Caplan
Bob Charters
Fred Eisenberber
Mary Kiss
David Wilson

REGIONAL POLICY

Tax Exemptions of Non-Profit Organizations Under Section 210.1 of the Municipal Act

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Policy - Tax Exemptions of Non-Profit Organizations Under Section 210.1 of the Municipal Act

PART I - INTRODUCTION

LEGISLATION

The Community Economic Development Act, S.O. 1993 c.26 was proclaimed in force January 31, 1994. Through the proclamation of Bill 40, Section 210.1 was added to the Municipal Act and identifies terms and conditions which must be satisfied in order for a facility to achieve tax exempt status as a municipal capital facility. Ontario Regulation 46/94 enacted pursuant to Section 210.1 of the Municipal Act defines the provision of classes of municipal capital facilities as well as the conditions which must be satisfied to grant tax exemption.

PURPOSE OF PROVIDING A FACILITY WITH TAX EXEMPTION

To provide Regional services to the community by entering into agreements with organizations agreeing to provide services through the use of their capital facilities.

OBJECTIVES OF THE APPLICATION PROCESS

1. To provide criteria which is clearly defined and equitable to organizations providing Regional services as defined in the Regional Municipality of Hamilton-Wentworth Act, the Regional Municipalities Act or the applicable provisions of the Municipal Act.

2. To maintain a non-discriminatory approach for evaluating tax exemption requests.

3. To ensure that the agreement between the Region and the outside party will be effectively administered by a competent and responsible body.

4. To ensure that the granting of tax exempt status for a facility benefits the interests of the Regional community.

5. To monitor the activities of the facility with respect to the issue of equal access to social services by individuals of diverse cultural groups and persons with disabilities.

PART II - TAX EXEMPTION GUIDELINES

THE APPLICANT AGREES TO THE FOLLOWING CONDITIONS:

REQUEST PROCESS

a. Requests for tax exemption will be reviewed once yearly to correspond with the calculation of Regional mill rates (Final date of submitting requests to the Commissioner of Finance: September 30); requests at any other time throughout the year will be considered at the discretion of Council.

b. The request must be in writing to the Regional Commissioner of Finance and must include the following information:

- Identification of the municipal service provided or to be provided by the organization to the community.
- The regulation by which the facility qualifies as a "municipal capital facility" (Ontario Regulation 46/94 subsection 2).
- Written notification from the Area Municipality in which the facility is located stating their support of the organizations request for tax exemption.

c. The organization must designate an authorized representative to be available to meet with the Regional Commissioner and the Commissioner of Legal Services to establish the terms and conditions of the agreement as identified in Section 210.1 of the Municipal Act.

LIMITATIONS OF REGIONAL EXEMPTION

a. The Region will enter into legal agreements with organizations for the purposes of providing tax exempt status as defined by Section 210.1 of the Municipal Act. Through the establishment of **the Region's policy**, the term of the legal agreement is **not to exceed five (5) years**.

b. Should an organization wish to extend their tax exempt status beyond the term outlined in the legal agreement, written notification must be submitted to the Commissioner of Finance at least 6 months prior to the expiration of the existing legal agreement. Requests for further tax exemption will be forwarded to Council for review and approval on a yearly basis.

c. The provision of tax exemption in any circumstance is **not** regarded as a commitment by the Region to extend beyond the terms and conditions of the agreement.

ELIGIBILITY FOR TAX EXEMPTION

a. An applicant must be, or must be in the process of becoming, incorporated as a non-profit organization and should be registered under the Canada Income Tax Act for the purpose of receiving donations.

b. Non-profit organizations requesting tax exemption under Ontario Regulation 46/94 subsection 14 and 16 must be **currently in receipt of an operating grant** from the Region of Hamilton-Wentworth.

c. An organization must demonstrate that it provides a "municipal service" as defined in the Regional Municipality of Hamilton-Wentworth Act, the Regional Municipalities Act or the Municipal Act.

d. The Region will not consider an application for tax exemption from organizations deemed to be providing a service that is the responsibility of a local area municipality, with the exception of the major cultural facilities already assumed by the Region.

e. Where appropriate and feasible, the proponent will ensure that individuals of diverse culture and persons with disabilities have equal access to any "municipal service" provided.

TERMS AND CONDITIONS OF THE AGREEMENT

Upon receipt of Council approval to provide a facility with tax exemption, the recipient organization is required to enter into a formal legal agreement with the Region. The organization will be required to meet with the Commissioner of Legal Services to establish an agreement as identified in Section 210.1 subsection (2) and (3):

> "**Agreements for municipal capital facilities.-** The council of a municipality may enter into agreements for the provision of municipal capital facilities by any person."
>
> "**Contents of agreements.-** Agreements under subsection (2) may allow for the lease, operation or maintenance of the facilities by any person..."

1. **RESPONSIBILITY OF THE COMMISSIONER OF LEGAL SERVICES**
   The Commissioner of Legal Services shall ensure that the agency or proponent complies with the requirements of Section 210.1 of the Municipal Act, and the provisions of Ontario Regulation 46/94. The agreements for the provision of municipal capital facilities will be structured to ensure compliance with all statutory requirements. In addition, the necessary by-law providing the tax exemption will be prepared by Legal Services.

2. RESPONSIBILITY OF THE COMMISSIONER OF FINANCE

Prior to making any recommendation to Council, the Commissioner of Finance will be responsible for reviewing the request, verifying that the requirements as outlined in this policy are satisfied and contacting the Commissioner of Legal Services to review the legal implications of establishing an agreement as required under Section 210.1 of the Municipal Act.

3. TERM OF THE AGREEMENT

The term of an agreement will not extend beyond a **period of five (5) years.**

4. LEGAL REQUIREMENTS - DOCUMENTATION/AGREEMENTS

The formal legal agreement will encompass the terms and conditions of the contract regarding the provision of municipal capital facilities and their maintenance and operation. The agreement will include by not be limited to the following provisions and information:

1. The term and date in which tax exemption commences

2. Maintenance and operation of the facility during the period of tax exemption

3. Possible agreement by the region to take reversionary ownership of the facility throughout the term of the agreement or upon expiration (If subsection 16 or 17 of the Ontario Regulation 46/94 applies)

4. Authority on the part of the Region to review all business activity to ensure the continued provision of municipal service throughout the term of the agreement.

5. Insurance, indemnities and financial matters

6. Other terms and conditions, relating to the provision of the municipal capital facility

5. MODIFICATIONS TO THE ORIGINAL AGREEMENT

Any request by the organization to extend or modify the original agreement must be made in writing to the Commissioner of Finance and the Commissioner of Legal Services. These requests will be reviewed and a recommendation will be forwarded to Council for approval.

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 09

REPORT TO: S. Reeder, Secretary
Finance and Administration Committee

FROM: H. Milsome, Secretary
Greater Hamilton Downtown Community Development Corporation's Founding Board

SUBJECT: The Downtown Hamilton Partnership.

RECOMMENDATION:

a) That the document "Strong Medicine...A Prescription for the Heart of Hamilton-Wentworth" (attached as Appendix 'A'), be approved as a guideline for discussion on Downtown Revitalization;

b) i) That the Downtown Partnership be established by the City of Hamilton in conjunction with the Regional Municipality of Hamilton-Wentworth as the means of implementing the Strategy;

ii) That the Terms of Reference (attached as Appendix 'B'), for the Downtown Partnership be approved;

c) That the area for downtown revitalization, defined as the Downtown Core, from Victoria Avenue to Queen Street and from Cannon Street to Hunter Street be accepted;

d) That the first year operational budget for the Downtown Partnership be equally shared between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth and be included in the respective 1997 budget discussions;

e) That this entity be established as "The Downtown Hamilton Partnership" pursuant to the provisions of The Municipal Act or other appropriate legislation, in a form satisfactory to the City Solicitor including the possibility of sponsoring a community economic development corporation to facilitate venture capital assistance or other community development initiatives;

f) That an Interim Downtown Co-ordinator be appointed from existing staff complement of the City of Hamilton.

FINANCIAL \ STAFFING \ LEGAL IMPLICATIONS:

A 1997 operational budget for the Downtown Partnership and associated costs are estimated at $180,000 to be cost-shared between the City, Region and the private sector on an equal basis (private sector contribution may entail services in kind).

Additional expenses may be required for specific projects, as identified in the "Strong Medicine" report. However, they will be forwarded on an individual basis and evaluated on their own merits. In some cases, expenses are expected to be cost-shared with the private sector or other levels of government. Initiatives may be funded through both capital and current budgets.

The Terms of Reference for the Interim Coordinator and support position would be developed by the Downtown Partnership subject to Human Resource Centre classification. Over the long run, it is hoped that this position would be filled by the private sector and be self funding, based on private sector contributions. On an interim basis Mark Mascarenhas, General Manager, Housing and Loans Division, Building Department, will be assigned as the Interim Downtown Co-ordinator.

Increases in business and property taxes which will result from a revitalized downtown, should offset City and Regional funding contributions.

BACKGROUND:

An equal report is being sent to the Regional Municipality of Hamilton-Wentworth's Economic Development and Planning Committee for consideration at its meeting to be held 1997 January 28.

In July of 1995, City and Regional Councils established a Founding Board for a Greater Hamilton Downtown Community Development Corporation (GHDCDC). The Founding Board was requested to prepare for City and Regional Council's approval:

* the Mandate and Objectives;
* the boundaries for the GHDCDC;
* a Working Plan (Community Strategic Plan);
* an operating budget;
* the draft bylaws; and,
* the general membership

The Founding Board has now completed its work after more than a year of meetings and has approved, in principle, a Working Plan entitled "Strong Medicine...A Prescription for the Heart of Hamilton-Wentworth". This plan outlines a strategy for revitalization of the downtown and a framework for implementation that addresses the above requirements.

The next phase of this work is to move beyond planning and into implementation of actions through a public\private sector partnership. This report aims to achieve this goal.

As this work was being undertaken, a number of City\Regional initiatives have been implemented to help revitalize the downtown. Many of these initiatives resulted from discussions at the Founding Board meetings and include:

* refund of planning and building application fees;
* refund of 5% Parkland Dedication;

implementation of:

* the convert-to-rent program;
* free downtown parking (Thursday and Friday evenings and Saturdays);
* remove parking requirements for residential conversion;
* remove land area requirements for residential units downtown; and,
* a special arrangement with the Hamilton Halton Home Builders Association to encourage and develop commercial\residential projects.

COMMENTS

A. Community Development Corporation\Structure

When originally envisioned, strong Provincial support existed for Community Development Corporations, established through the Community Economic Development Act. However, presently, there appears to be little support. Funding which was once provided for start-up is no longer available and a possible operations subsidy, which at one time seemed possible, no longer appears viable. Funding through Community Investment Shares and Community Loan Funds seem difficult at best. On this basis, the establishment of a Community Development Corporation may not be appropriate at this time.

It is suggested that a "Downtown Partnership" be established consisting of community leaders to give a strategic direction on actions for the revitalization of the Downtown. Detailed work of the "Partnership" would be undertaken by specifically mandated task forces that would meet on an ongoing basis to tackle issues and address "action" items from the "Strong Medicine" report (see attached Organizational Chart).

For municipal issues and financial matters, reporting requirements would be arranged through the City of Hamilton Finance and Administration Committee and the Region of Hamilton-Wentworth Economic Development and Planning Committee. Reporting would be done on a monthly basis under the direction of the Interim Downtown Coordinator to monitor the business plan and keep both Councils aware of all activities and initiatives. However, it is recognized that initiatives may fall under the mandate of different partners. In some cases, it could be a private sector project, others may be City and\or Regional, or in some other cases, it could be joint initiatives.

B. Downtown Core

As defined by many adopted initiatives calling for the refund of development and building application fees and in the draft approved Community Improvement Plan, the boundaries of the "Downtown Partnership" are defined as Victoria Avenue, Queen Street, Cannon Street and Hunter Street.

It should be recognized that the "Strong Medicine" report recommends that a downtown neighbourhood be identified and a secondary plan created. The Planning and Development Department is currently working on this with the Central Area Plan Implementation Committee (CAPIC) and as a result, this may further define the boundaries of the Downtown.

C. Downtown Coordinator

An Interim Downtown Coordinator is needed to ensure that all the initiatives of the Partnership proceed in a timely fashion.

The Downtown Coordinator would be located in a storefront location within the downtown. The cost of the position would be equally funded by the Region of Hamilton-Wentworth, the City of Hamilton and the private sector, beginning in 1997. Existing municipal staff would be available to help support the work on the various action steps suggested in this report.

The Downtown Coordinator would be responsible to the Partnership for program direction and would prepare the agenda and proposals for each meeting of the Partnership. As a result, it is suggested that the Partnership work with Human Resource Centre to develop the Terms of Reference for this and other positions.

CONCLUSION

Based on the above comments, the Founding Board is forwarding its "Strong Medicine" report to City and Regional Councils as the strategy guideline for discussion on revitalization of the downtown. The Board approved the "Strong Medicine" report as a guideline for discussion on Downtown Revitalization. One issue that the Board did not agree with was item number 14 - investigating the directional traffic on James Street from southbound to northbound. The Board at its meeting held 1996 October 15 concurred that the issue should be modified to read "that James Street be investigated as a two-way street".

A position description will be developed by the Downtown Partnership for the Interim Downtown Coordinator and referred to the Human Resource Centre for classification.

The existing members of the Founding Board are encouraged to participate in one of the four task force groups identified in the attached organization chart, as their knowledge will be valuable in the implementation process.

This Partnership is deemed the appropriate approach for the revitalization of the downtown as it reflects the co-operative efforts of the City of Hamilton, Regional Municipality of Hamilton-Wentworth and the private sector.

STRONG MEDICINE...A PRESCRIPTION FOR THE HEART OF HAMILTON-WENTWORTH

August 23/96

DOWNTOWN PARTNERSHIP STRATEGY; EXECUTIVE SUMMARY

FROM ANALYSIS TO ACTION...

The Downtown Partnership Strategy document, entitled *"Strong Medicine...A Prescription for the Heart of Hamilton-Wentworth"*, attempts to combine the findings and directions of the "Founding Board" of the proposed Greater Hamilton Downtown Community Development Corporation with experiences and proposals drawn from complementary sources. The Founding Board was created by Hamilton-Wentworth Regional Council and Hamilton City Council to enlist downtown residents, business-people and other stakeholders in an effort to develop a multi-faceted strategy to revitalize Hamilton's Downtown. At the time it was established, it was anticipated that the Founding Board would sponsor the establishment of a community development corporation under legislation passed and funded by the previous Ontario Government.

The Downtown Partnership Strategy proposes to act on the ideas of the Founding Board, but it proposes a new approach to achieving the results targeted by the members of the Founding Board.

The Downtown Partnership Strategy suggests that the Founding Board should not proceed with the creation of a community development corporation, since the funding for such initiatives has been discontinued and the format has proved cumbersome for those involved. In its place, the Strategy proposes the establishment of a ***Downtown Hamilton Partnership***, a small group of leaders of business, government and the community at large, who would set broad, strategic direction for Downtown initiatives, but whose work would be done through existing organizations and special task groups created to achieve specific results, in most cases involving the current members of the Founding Board. *(sections 20.1 through 20.7, and Action Step #16)*

EXAMINING THE ISSUES...

The Downtown Partnership Strategy examines the major issues facing Downtown in a new, and occasionally provocative way, under such headings as:

Are taxes too high and punitive?
Is the Downtown safe?
Is Downtown a place to go through, or to?
Are heritage properties an asset or a burden?
Is parking too expensive and over-policed?
What do we do about vacant lots and vacant stores?
Do we need more megaprojects?
Can Downtown attract residents of all income groups?
Does Downtown retailing have a future?

(sections 2.0 through 12.0)

A LIST OF PRACTICAL MEASURES...

In answering these questions, the Downtown Partnership Strategy suggests a multi-faceted approach, based on the work of the Founding Board and conclusions drawn from other sources, including he Architects' Society Charette and the experiences of other centres facing similar issues. Nineteen specific "Action Steps" and a number of additional measures are proposed, including some preliminary suggestions on the organizations, groups and individuals who might undertake these assignments.

Among the actions proposed by the Downtown Partnership Strategy are these:

1. Boost the distinctive retail and day-trip profile of Downtown by targeted recruiting one or more major US retailers without a significant presence in Ontario, and enlist municipal leaders in that effort. *(sections 12.1, 12.2; Action Step #1)*

2. Work with landlords to create redevelopment proposals for existing properties, aimed at providing facilities for design studios, computer software firms, artists studios and "loft" apartments. *(sections 13.1, 13.2; Action Step #2)*

3. Create a public-sector fibre-optic cable wide-area communications network focused on the Downtown in 1997, to demonstrate that Hamilton makes a good location for communications-based businesses, such as call centres and commercial "back office" functions. *(section 13.3; Action Step #3)*

4. Promote Downtown Hamilton as an excellent location for national and regional association headquarters, by specifically targeting the national trade association of those organizations. *(section 13.4; Action Step #4)*

5. Make parking lots part of the solution to the problems of Downtown, not one of its major symptoms. Combine licensing and redevelopment incentives for commercial parking lots to promote their early redevelopment and to discourage further demolitions leading to more vacant parking lots. *(sections 14.1, 14.2; Action Step #5)*

6. "Take the side" of the retailers and the hospitality industry in tax assessment matters. Use the resources of the municipalities to <u>support</u> the efforts of retail and hospitality businesses to reduce their property tax obligations, including assessment appeals. *(section 14.3; Action Step #6)*

7. Expand the range of tax-exemptions for public and cultural institutions, to promote their continued ability to operate economically Downtown. *(section 14.4; Action Step #7)*

8. Work with landlords to recruit short-term commercial tenants to vacant properties, especially those with street-exposure. *(section 14.5)*

9. Sponsor block-by-block business meetings of in-town and out-of-town landlords,

and with the Hamilton Parking Authority, with a view to stimulating redevelopment proposals on underutilized sites throughout the Downtown. *(section 14.5)*

10. Over the next twelve months, "option" four or five properties with a high redevelopment priority for the Downtown, and prepare investment prospectuses for presentation to identified potential investors. The investment prospectuses would highlight commercially attractive features, such as a commitment to include Regional Municipality office space, to relax parking requirements, and so on. *(sections 15.1, 15.2, 15.3, 16.1; Action Step #8)*

11. Improve the physical/pedestrian links between key areas of Downtown: between Hess Village and the Convention Centre; between James Street North and the Eaton Centre area; and, between Theatre Aquarius/Broadway and King Street East. *(sections 6.2, 16.3; Action Step #9)*

12. Develop plans to "open up" Summers Lane, the Eaton Centre and Jackson Square, each of which lacks much the positive street-level presence on which Downtown vitality depends. *(sections 6.3, 16.4, 16.5; Action Step #9)*

13. Move ahead with the commitment to locate the headquarters of the Philip group of companies in Downtown. *(section 16.6; Action Step #9)*

14. Explore a limited two-directional street system for King Street between Ferguson and Queen, and examine the potential for generating more customer traffic by making James Street North a northbound, rather than southbound, street. *(section 6.4, 17.1, 17.2; Action Step #10)*

15. Consider a distinctive, no-charge Downtown "beltway" shuttle bus, modelled on the experience of Denver. *(section 17.3; Action Step #10)*

16. Revive proposals for a light-rapid transit facility to connect the Downtown with the Harbour and the Mountain, and view it as a development vehicle, not solely a transit measure. *(section 17.4; Action Step #10)*

17. Negotiate a Downtown transit pass for McMaster and Mohawk students, as part of their annual "activity fee". *(section 17.6; Action Step #10)*

18. Consider closure of some portion of the south "leg" of King Street East, between James and Hughson, to create a pedestrian concourse. *(section 17.7; Action Step #10)*

19. Authorize universal "no charge" 3-hour parking in all or most municipal lots, to be effective for the 1996 Holiday season. *(sections 8.4, 8.5, 8.6, 17.8; Action Step #11)*

20. Define the Downtown as a separate "neighbourhood" for land-use planning purposes. *(sections 18.1, 20.8; Action Step #17)*

21. Heritage preservation should focus on creative re-use and facade preservation, rather than simply preventing demolition or acquisition of buildings by public authorities. *(sections 7.1, 7.3, 18.3)*

22. Main Street should be developed as Hamilton-Wentworth's institutional address, including extensive floral plantings and decorative street hardware, and the elimination of portable and oversized signage wherever possible. *(section 18.2)*

23. As a lever to redevelopment, Regional Municipality office space should be relocated to strategic downtown locations wherever feasible, on an aggressive timetable. If appropriate, the decision to relocate the Region's headquarters to the Court House should be reconsidered, especially if a major new corporate or institutional entity could be recruited to Downtown by leasing that property. *(sections 18.4, 18.8; Action Step #12)*

24. Consideration should be given to proposals developed at the Architects' Charette for the redevelopment of the interior of lots on streets parallel to major arteries, such as King William. *(section 18.5)*

25. Promote the consolidation of southern Ontario Federal and Provincial regional or field operations into the Ellen Fairclough Building as Regional Municipality tenants vacate. *(section 18.8)*

26. Develop strategic alliances for the marketing of Downtown entertainment and cultural assets, both within the community, and beyond to Southern Ontario and Western New York, with special emphasis on profitability and external tourist market potential. *(section 19.1)*

27. Encourage the Art Gallery to initiate a major reservation-ticket exhibition with commercial marketing potential. *(section 19.2; Action Step #13)*

28. Prepare a new NHL franchise proposal, based on the concept of creating a Second Division NHL group of teams. *(section 19.3; Action Step #14)*

29. Limit any public investment in "destination attractions" to modernizing existing assets and to limited-exposure joint ventures with adequately funded commercial sponsors. *(sections 11.5, 19.4)*

30. Explore with the Hamilton Halton Homebuilders, the possibility of expanding their recent initiative into the creation of a full-scale neo-traditional neighbourhood on underutilized lands adjacent to the Downtown. *(sections 19.5, 19.6, 19.7; Action Step #15)*

31. Hire a Downtown Co-ordinator with responsibility to follow-up on the actions outlined in the Downtown Partnership Strategy and the directions of the Downtown Partnership, once established. The Co-ordinator would be a full-time advocate for the Downtown, operating at arm's length from municipal authorities, but with the support of

municipal resources. The Co-ordinator would bring commercial real estate, architectural design and marketing skills to his or her task. *(sections 20.6, 20.10, 20.11; Action Steps #2, #18)*

32. Municipalities should use exemptions or waivers of fees/conditions strategically, as redevelopment negotiating tools or to promote targeted activity. Since undistinguished blanket exemptions apply equally to desirable developments, to "undesirable" developments and to developments that would have occured in any event, they leave little further scope for municipalities governed by "no bonusing" limitations. While good for marketing purposes, further blanket exemptions should be carefully evaluated before they are undertaken. *(sections 20.12, 20.13)*

33. Create a separate Downtown current and capital budget within the overall budgets of the Regional Municipality and the City of Hamilton, in order to allow priorities to be established and work to be more effectively co-ordinated. For 1997, municipal budgets should invest significantly in a continuation of the successful floral program within the Downtown, and to target street-scape and boulevard improvements in strategic locations in and around the Downtown. *(section 20.14; Action Steps #19)*

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STRONG MEDICINE...A PRESCRIPTION FOR THE HEART OF HAMILTON-WENTWORTH

1.0 Introduction:

1.1 At the last municipal election, the Mayor of Hamilton and the Regional Chairman of Hamilton-Wentworth sought a mandate to take decisive action to revitalize Downtown Hamilton's "Central Business District". Over the last several years, other voices, including leaders in business, labour and the media have joined in the call for action to deal with the evident decline in the economic importance and public perception of Downtown Hamilton. Efforts have also been made through the Mayor's Downtown Task Force and the City of Hamilton's CAPIC initiative.

1.2 In this municipal council term, a group of downtown "stakeholders" were asked by municipal authorities to consider the creation of a Greater Hamilton Downtown Community Development Corporation (GHDCDC), using new legislation modelled on the successful experiments with community development corporations in older urban centres across the US and in a number of smaller communities in various Canadian Provinces. The "Founding Board" of the GHDCDC has met regularly throughout this year, including a session aimed at creating a strategic focus and work program to guide the proposed development corporation. This year has also seen the adoption of the Strategic Plan by the merchants and business people in one of the downtown's Business Improvement Areas (BIA). Most recently, the Hamilton Society of Architects has carried out an exciting two-day downtown revitalization "charette" as part of its Sesquicentennial contributions.

1.3 There is no shortage of good will or effort. But the challenge remains. It is quite clear by now that the challenges of revitalizing Downtown Hamilton will not yield to our conventional approach to civic issues. We need a new, more sophisticated and multi-faceted approach.

2.0 Historical Background/Contemporary Trends:

2.1 Little time needs to be spent outlining the historic role of an urban downtown, as a focus of commerce and culture. But it is equally neither necessary to point out that the contemporary economy has fundamentally undermined that role, nor to observe that our experience is unhappily shared, in varying degrees, by most cities our size throughout North America. (The Hamilton Architects Society Charette's examination of an admittedly larger centre (Pittsburgh) illustrated this last point).

2.2 Some would argue that the "edge city" phenomenon has rendered the traditional downtown "obsolete" as a retail and non-institutional commercial centre. The patterns of commerce, transportation and land-ownership are certainly not well suited to compete with the automobile-focused world of the mall, the office campus and the

industrial park.

2.3 But the tables may be turning. Disposable income is increasingly being used on services rather than goods. Busy higher-income consumers and time-pressed commuters seem more willing to pay a premium for variety and convenience, rather than relying simply on the price-competitiveness and the uniform product-lines of "power centres" and "box stores". The largely unrestrained growth in conventional retail uses across Ontario has saturated the retail marketplace, shaving profit margins very thin, and in the process rendering many second-rank retail uses uneconomic (strip plazas and discount malls, for example).

2.4 These new developments in the retail field, if anticipated and analyzed properly, could level the playing field for downtown retailers, especially those who offer service-intensive products, convenience-oriented services, or alternatives to mainstream or franchise product lines. Nor should we assume that Downtown's commercial revitalization would be led by the retail sector. Even within major industrial firms, commercial activity is increasingly dependent on information-handling and data-processing, rather than materials-handling and high-volume, low value-added manufacturing.

2.5 Demographic trends are creating a post-child-rearing generation of relatively affluent baby-boomers, with the associated consequences for consumption, housing and entertainment. Although currently under a lot of economic stress, over time cultural and hospitality uses, both Downtown and elsewhere, are likely to benefit from these trends. Economic globalization, fiscal pressures and environmental concerns are producing demands for creative solutions to the need for delivering public services more efficiently, in a compact, diversified and healthy community, and to adapt to changes in technology and working conditions.

Purpose of this Downtown Partnership Strategy:

2.6 The purposes of this Downtown Strategy are three-fold.

2.6.1 Its first objective is to analyze the obstacles that stand in the way of meeting our collective objective of making the Downtown of Hamilton and of the Hamilton-Wentworth regional community a place where our community can "live, work, visit and play".

2.6.2 Its second objective is to find a new way to empower existing groups and individuals with a commitment to Downtown, rather than creating new organizational structures or to involve committed supporters of the Downtown in apparently open-ended obligations to committee work.

2.6.3 The third objective of this Strategy is to find a way to have major public

institutional entities with a stake in Downtown, specifically the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, join with private-sector interests, both those with Downtown presence and those with a stake in the Regional economy, in a Downtown Partnership. The approach of the Downtown Partnership would be not so much to "do" things for Downtown, as to sponsor a series of initiatives by others, in order to capitalize on the strengths and areas of interest of the participants.

Progress to Date:

2.7 Any analysis of the situation with Downtown Hamilton must begin with a recognition of the many initiatives that have been taken during the recession of the early 90s, and especially during the current term of municipal council. In his July 1996 Report to the City of Hamilton's Planning & Development Committee, City CAO Joe Pavelka summarized the many initiatives that have been taken to revitalize the Downtown by the City of Hamilton and others.

DIAGNOSING THE MALADY:

3.0 Are taxes too high Downtown?

3.1 Most conventional evaluations say that the proportion of property and business taxes paid by Downtown Hamilton merchants and landlords are higher than would be the case in other commercial districts within the region, and in neighbouring regions, with the possible exception of Metropolitan Toronto. Taxes are an important component in the cost of doing business, especially for retailers, and they can be a factor in evaluating the viability of commercial development projects, which have to compete with vigourous suburban competition.

3.2 It should be said, of course, that in some commercial districts in major urban centres and in some malls, retailers are faced with a burden of non-tax "business-occupancy" costs that far exceed the additional tax burden being experienced by downtown retailers and office lessees. If the downtown economy was stronger, with more shoppers and more demand for commercial space, the heavy emphasis on taxation as "the answer" would be more balanced. Caution should also be exercised in assuming that generalized assessment reform (such as the "Actual Value Assessment" proposed to be implemented in 1998) will produce the competitive gains that downtown properties anticipate, since market-related assessment is a relative system, based not on business profitability but on land valuation.

3.3 It is therefore conceivable that revisions to downtown taxable assessments may not yield the significant reduction in net tax obligations that its proponents imagine. It is equally possible that the current Provincial proposals to replace business assessment surcharges on business tenants, and to allow the use of "variable" or adjusted mill rates for

adversely affected classes of property, may not produce the relatively large tax reductions that downtown businesses and property owners anticipate.

4.0 Is the Downtown taxation regime punitive?

4.1 If a landlord decides to carry-out improvements to his or her commercial or mixed-use property, the Provincial assessors will promptly increase the value of the property's assessment in proportion to the new investment, even prior to the property being occupied. Conversely, if a commercial landlord loses a retail or commercial tenant, the Provincial assessors will reduce the tax obligation for the property by eliminating the business tax assessment payable by the tenant, and by converting the property's taxable status from "commercial" to "residential", thus reducing the landlord's tax obligation by a further 15%.

4.2 Without considering corporate Income Tax incentives for depreciation and capital losses, if the landlord decides to demolish a vacant commercial building, rather than to maintain it in a boarded-up condition, the Provincial assessor will remove the building portion of the property from the assessment roll, so that the landlord's tax obligation is limited to the vacant land. This combination of fiscal and economic inducements favouring vacancies and demolitions are added to the cost of meeting civic and building requirements for health, safety, security and heritage preservation of unoccupied buildings. Pure business economics can favour demolition.

4.3 The existing tax and assessment regime rewards keeping commercial properties vacant, rather than leasing them short-term to marginal businesses or for low rents. It also favours the creation of surface parking lots, and discourages maintaining older buildings and renovating them, or building new, unleased "speculative" space.

4.4 If a landlord succeeds in leasing office space to a governmental authority, the governmental authority is liable to pay applicable commercial taxation. If the same governmental authority uses a public building, even a building owned by another level of government (such as the Ellen Fairclough Building), it pays no property or business tax. Finally, if a governmental authority leases some portion of its own building to a private business or a Crown Corporation, the leasing business pays business taxation, but not property tax.

4.5 These tax rules discourage the Region, the City and other governmental bodies from renting otherwise suitable office space in commercial buildings, and it arguably gives private firms in government facilities (such as catering and smoke-shop uses) a competitive advantage over other commercial food shops.

5.0 Is the Downtown safe?

5.1 One of the most frequently repeated concerns about the Downtown is a perception of lack of security. Downtown residents and retailers cite the presence of "undesirable elements" who are making shoppers and Downtown employees uncomfortable, especially in public areas, after regular business hours, and on side streets. While some effort at policing may move around the pan-handlers, the street-people and the petty nuisances, the more likely solution is a generalized increase in pedestrian activity, a perception of public order, and a greater sense of "neighbourhood".

5.2 With increased pedestrian activity and a greater sense of "neighbourhood concern", many of those who are now perceived of as an annoyance or even a "threat" become a recognized feature of the urban fabric and even "local colour", allowing the police and the community to isolate and deal directly with any criminal elements or persistent public nuisances. But how do you promote a sense of neighbourhood? How do you promote the level of around-the-clock, throughout-the-week, "all seasons" pedestrian activity that permits the "undesirable" elements to be overwhelmed by the offsetting positive effect of the numerous and the familiar?

5.3 One of the lessons learned from the failed efforts in many US communities to make parking lots and public areas "feel safe", is that the simple expedients of enhanced lighting or more open-space do not produce a perception of safety or comfort. The glare of high-candle-power lights do not make New York's Central Park or Toronto's Regent Park much safer. Lighting can, however, be used creatively to create a mood and a perception of activity or watchfulness. The use of ornamental lighting at Christmas (Gore Park; Victoria Park in Simcoe), and the use of more creative institutional lighting (Sarasota; Nathan Phillps Square and the Theatre District in Toronto), can create a positive ambiance of safety and interest that generates the crowds who, by their presence, really DO produce a safer environment.

5.4 Ultimately, of course, the key to public safety is more people. More people widen the peak periods when there is "something happening" Downtown, and more people also create more "eyes on the street" in the off-peak times.

6.0 Is the Downtown a destination or a thoroughfare?

6.1 In the absence of convenient cross-town transportation arteries (such as Red Hill Expressway), the Region has developed a network of one-directional Downtown streets, which channel automobile and truck traffic to and through Downtown with an efficiency that is the envy of cities like Toronto and Ottawa. The motor-vehicle accident rates in Downtown are proportionately among the lowest among Ontario downtowns. The transit system operates with good connections and, for a Downtown location, HSR boasts remarkably efficient schedules and run times.

6.2 Anyone who has stood curbside on King Street East, or in front of the Sheraton, or opposite City Hall on Main Street, however, understands why sidewalk cafes, street-face top-quality retail, and pedestrian-friendly public uses find it difficult to take root and flourish. As things stand, King Street is for cars, not people. Those exiting the Convention Centre, Copps Coliseum, Hamilton Place, or the Sheraton, are unlikely to walk to Hess Village, or James Street North, or King Street East. The sidewalks are narrow, unsheltered from wind and the elements, with little inviting street-level activity and a high-volume of fast-moving, close-by automobile and truck traffic. For shoppers, evidence suggests that the alternative is to get into one's car and go to Limeridge, or the Meadowlands. For the entertainment "consumer", Westdale or Olde Towne Stoney Creek are apparently more inviting.

6.3 Perhaps the most significant potential for redesign and reintegration of street-level uses lies in the "tunnel" area between Bay and James, on both sides of King. With the exception of the Sheraton entrance, this stretch is a dark, wind-swept, noisy culvert of automotive, truck and bus traffic. In the daylight hours it is a scene of standing vehicles and turning-movements into parking garages, with pedestrians running the gauntlet between Jackson Square and the Convention Centre or the transit mall. In the evenings, when there are theatre patrons and convention visitors to attract and impress, it leaves them with a distinctly uninviting and negative impression of Downtown Hamilton, despite the more interesting and inviting scenes, beginning two long city blocks away to the east and the west. This should be an early candidate for the creativity of architects and urban designers. Since much of this stretch of uninviting streetscape owes its origin to municipal initiatives, municipal funds should be part of the price of undoing the well-intentioned damage done to the urban fabric of Downtown.

6.4 Is the efficiency of the Downtown's one-directional street system, and the related use of the system by the HSR and truck traffic, making it difficult to regenerate the Downtown? It is interesting to note that Kitchener has recently reversed its twenty-year experiment with one-directional streets on key downtown arteries, at a retrofit cost of $1.5 million (although the City found that traffic signal phasing and street reconstruction requirements were such that much of the expenditure could be offset within the existing capital budget). During the Architects' Downtown Charette, Ken Greenberg and John Sewell noted that virtually no downtown one-way street outside Manhattan had any record of sustaining profitable, positive street-oriented retail activity.

7.0 <u>How important is "heritage" to Downtown revitalization</u>?

7.1 History can be an asset, or it can be a burden and an obstacle. So while much has been made of the heritage character of our Downtown and its precincts, heritage preservation has both positive and restraining implications for Downtown revitalization. Downtown revitalization should make use of heritage properties and heritage features where they contribute to the revitalization of the Downtown "neighbourhood". As the

Gore Heritage Study suggests, heritage buildings can be a valuable, attractive addition to a commercial district. But like any neighbourhood, the Downtown is "organic" and must be allowed to regenerate itself. Isolated heritage initiatives, often involving taxpayers investing where commercial interests cannot justify an expenditure, should be used sparingly. Likewise, an overly ambitious definition of "heritage" can leave us with a Downtown frozen in aspic, as the physical plant deteriorates awaiting some prospective "white knight" investment.

7.2 Another perennial issue in Downtown revitalization is the role of the Gore. Whatever its associations with past history and the adolescence of this community, the Gore and the recurrent redesign of Gore Park is an issue that should not be a major focus of the revitalization Downtown. The primary consideration should be to ensure that the Gore does not adopt a function that is inimical to the revitalization of the retail and hospitality businesses on which redevelopment depends. We must avoid attracting the "street people" who become a signature of the Gore Park, and by inference, east Downtown. It is much more important to ensure that the park is well maintained, pleasant and inviting to strollers and families, than it is to focus on its physical attributes or further costly restoration efforts.

7.3 If we eschew nostalgia, and focus on heritage preservation that can contribute to the Downtown's specific "neighbourhood" character, we will have a more manageable focus. For example, we may wish to promote the retention (and accent-lighting) of facades and specific buildings of enduring architectural quality, which has proved so successful in Toronto on Front and Wellington, east of the O'Keefe Centre. We should avoid trying to resuscitate archaic physical plant or to save buildings that are not historical, but merely old (or architecturally notable only within the narrow confines of this region).

8.0 "At the mall, we park for free..."

8.1 Virtually every discussion of downtown revitalization in mid-size urban centres, not only across North America, but throughout the developed world, seems to begin and end with a discussion of traffic congestion and automobile parking. The key consideration is a delicate balance. Hard-headed economic necessity says we should do everything we can to accommodate those, especially Downtown retail and entertainment shoppers, who find it convenient to take their automobile to shop. Bundles and durables are not easily accommodated on the HSR, and most middle-aged or suburban couples no longer go to the theatre or the market on the bus. On the other hand, we want to promote increased transit ridership, and we must pay a realistic "economic rent" for the considerable public and private investment we have in parking garages and parking lots in the Downtown. Transit can also offer a safe and practical alternative to the private motor vehicle for hospitality patrons, students and those without access to motor vehicles. Some measure of congestion may even be a positive indication of commercial success. As noted

neo-traditionalist developer Robert Davis observed: "Any town worth its salt has a parking problem".

8.2 The convenience of mall parking is likewise often overlooked. The mall parking lot conveys the impression of being close-by and safe, even if it is no closer "as-the-crow-flies" than secondary parking in downtown, or parking "ramps". Part of the success of areas like James Street North and Hess Village lies in the illusion that parking is convenient and available on or near the street. It is possible that the complaint that downtown shopping has "no parking" should be addressed as both a price and a convenience issue. In fact, in an age of the "loonie" and the "twonie", the resistance to relatively expensive but convenient on-street parking may be lessening, as two dollars becomes pocket change for many drivers.

8.3 What has not lessened, however, is the universal distaste (whether in Hamilton, Toronto, New York City or Simcoe) for the parking enforcement program. Is it possible that people would tolerate higher rates in exchange for a lower degree of over-time enforcement? At a minimum, it is time that municipal authorities addressed the Downtown without specific reference to the exigencies of municipal bookkeeping. As long as by-law enforcement and parking authorities must operate "in the black", there will continue to be resistance to ideas that might generate new business taxes at the cost of reduced parking revenues.

8.4 What is a reasonable short-term parking limit?

There have been a variety of experiments with parking time-limits, but too often the terms are geared to the time it takes to undertake a purposeful shopping visit or a business luncheon (or at times when patrons likely anticipate paying for parking in any event). The effort seems aimed at discouraging downtown employees from cluttering-up on-street and adjacent off-street parking spaces, and accommodating the shopper who knows what he or she wants. Parking validation programs tend to suffer from the same underlying assumptions, which discourage casual and extended downtown visits.

8.5 In a mall setting, employees are encouraged to park somewhat farther from the immediate area, but employees share the benefits of "free" parking. Likewise, while the mall is a "destination" shopping centre, it would never survive on the trade of those (excluding grocery shoppers) who come to the mall with an itemized, time-limited shopping list.

8.6 Downtown parking policy should promote the concept of leisurely shopping and leisurely dining. A movie or a concert takes more than two hours; so does an enjoyable dinner. We should set more realistic timing for any initiatives aimed at relaxing parking charges or parking enforcement, and do so without the nuisance factor of parking validation. It is also in the public interest to encourage low-cost commuting options for

those who work in the downtown service and retail trades, for many of whom transit is a poor alternative to the automobile. Both these measures would help to "level the playing field" with the malls.

9.0 The "vacant lot" problem

9.1 In common with most major urban centres, Hamilton's Downtown has a significant volume of vacant land and abandoned buildings adjacent to the core. The Economic Development Department's "development opportunities" map, which shows vacant lots in bright red, makes the situation plain. The reasons are numerous. Many older structures were acquired at a time when it appeared that Downtown real estate would recover to its glory days of the 50s and 60s, and the short-lived North American boom in downtown real estate that occurred in during the 80s. Many old structures have been demolished, because they were not physically sound, because their renovation was uneconomic, and because our Federal and Municipal tax and assessment rules favour depreciation and demolition of physical structures rather than their restoration.

9.2 While there is need to come to the aid of those who have Downtown commercial and residential buildings, there is also a need to rebalance the factors that discourage building owners from keeping properties leased, and from keeping buildings in tact when business factors exact a penalty for doing so. We must find a way to promote leasing rather than vacancies, and to provide those with vacant lands with both positive and negative incentives to develop them or to enhance their use in anticipation of development.

9.3 Another important but less evident negative feature of the vacant lot problem lies in the relatively extensive area covered by our Downtown. For a "neighbourhood" that serves as the primary central business district (CBD) for a region of fewer than 500,000 people, the Hamilton Downtown covers a vast and often unconnected area that would be more than adequate for a much larger metropolitan area. Although we cannot remake urban geography, we should address this problem realistically and creatively.

9.4 Some see the Downtown as the area between Bay and Wellington, from Hunter to Wilson. Others would extend it to include Victoria in the east, and Queen, or even Locke, in the west. This is a vast area within which to focus a redevelopment effort, or to define as a "Downtown neighbourhood" separate from the other lower city neighbourhoods that abut the Downtown. The north limit of the Downtown area from Bay to Wellington, for example, if tracked along York/Wilson, runs eleven city blocks.

9.5 We must find a way to integrate Hess Village with the public institutional uses to the east, especially those which have the potential for making the Sheraton, the Art Gallery, the Convention Centre, Hamilton Place and Copps Coliseum more attractive for visitors, as well as making these facilities live up to their original promise as significant contributors to the vitality of the whole Downtown. In other regions, large farmers

markets and large libraries are major magnets for people, and produce significant spin-off trade (the Winnipeg Forks; Fanueil Hall and Harvard Square in Boston; Lonsdale Quai in North Vancouver; etc.). We must find a way to reintegrate the Farmers Market and the Central Library into the street life and commercial environment of Downtown. (In Kitchener, for example, there is discussion about its famed market being relocated onto public roadways, rather than being kept indoors).

9.6 While no-one can force-feed "multiculturalism" outside of the Epcot Centre, there is a considerable potential, demonstrated by James Street North, for promotion of ethno-cultural retailing and hospitality trade, aimed at the broader market. A simple focus on restaurants and terrace bars made a great retail success of ethnic hospitality marketing in Toronto's Danforth, Montreal's Duluth/Prince Arthur district, and one of the most intractable of downtown challenges, Detroit's "Greektown". For example, an Italian-market focus, featuring food, fashion and household design goods, modelled on Toronto's Corso Italia (St. Clair West), has evident potential with minimal public spending and public encouragement. Similarly, there is potential for developing a Downtown marketplace that would appeal to the Golden Horseshoe's expanding east Asian population.

9.7 In an era of high technology and discriminating entertainment spending, it may be more effective to build "connections" in the Downtown through the use of walkways, floral plantings, landscaping and the linking of surface parking lots. Urban design features (like "thematic" lighting or "signature" colours, such as awnings) are much more effective than the somewhat passive and sophisticated links effected by facade and historic building preservation. Styling downtown as a centre of technology, communications and contemporary arts may create interesting opportunities to use patterned lighting, facade illumination, street-level neon and light-banding, and similar measures. On a year-round basis the foregoing innovations will likely prove more compelling than subtle design and heritage linkages that practically require a Michelin guidebook to appreciate. A continuous pattern of street accent-lights or strip-neon lighting would also be a useful adjunct to efforts to link disparate Downtown districts into an integrated whole.

9.8 The redevelopment of George Street and the adjoining vacant lots, the reintroduction of Jackson Square into King Street, the widening and seasonal floral enhancement of sidewalks, the encouragement of hospitality-related encroachments, and the introduction of in-season landscaping and off-season parking, would do a great deal to promote more pedestrian interest and connection throughout the Downtown. Likewise, some measures to protect key intersections and key stretches of streets from the sterilizing effects of institutional, street-level uses would help build an interesting street culture. While institutional and financial services uses often favour (and can uniquely afford) prime locations, they generally have street activity only within relatively confined daylight periods on weekdays.

9.9 Urban land economics play a key role in downtown revitalization. If investors guess wrong about business cycles and land-price trends, they can find they have paid too much for downtown sites. In these circumstances, they may choose simply to hold the land at the lowest maintenance cost, until the opportunity to recapture some of their losses presents itself, or until they are in a better position to realize the financial loss associated with a poorly performing investment. By carrying investments at "book value", investors can avoid realizing a loss in a way that might negatively affect the structure of their debt obligations, or their tax liabilities, or their performance commitments to their principal shareholders (or even simply admitting to themselves that they made a mistake and paid too much).

9.10 The consequences of refusing to relinquish property assets at current market valuations, however, can have serious implications for moving ahead with Downtown redevelopment opportunities. Waiting for things to get better financially can take a long time, and in the interim, significant downtown parcels lie beyond the reach of builders and investors willing to acquire properties at their realistic current values. The "success" of the recent sales in the Piggott Block demonstrates that some downtown redevelopment can only occur when an original investor realizes a loss on an investment that was made in more promising circumstances. Downtown properties can have the investment profile of higher-risk commercial resort-property investments, where occasionally only successor investors, paying more realistic prices for the assets, can show profitability.

10.0 Do we need "blockbuster" developments?

10.1 For a generation, those of us in the municipal sector have tried to use public funds to "jump start" the Downtown, by promoting major investments in public or private infrastructure. While these developments, in themselves, have been generally successful, they have never produced the scale of spin-off development that had been promised and anticipated. In fact, the sterility of the King Street "tunnel" east of Bay Street, and the underutilization of the Jackson Square roof and Commonwealth Square, suggest that public projects may have inadvertently contributed to the decline in street-level activity Downtown, rather helping to overcome it.

10.2 The lesson seems to be that municipalities should aim for more "base hits" and fewer "home runs". We have a vast investment in public infrastructure, ranging from Copps Coliseum and the Plus 15 roof of Jackson Square, to the Art Gallery, Convention Centre and Theatre Aquarius. Our additional efforts should be devoted to making these initial investments and existing assets pay bigger dividends for the taxpayers and business people who invested in them in the past.

10.3 Each year, the municipalities sink large amounts of public funds into routine refuse pick-up, horticulture and special events promotion. While these investments should be maintained and perhaps even expanded, it is time that the private sector showed the

same confidence in the future of Downtown. The public sector can provide support, but it should refrain from trying to "buy" revitalization, especially in the present fiscal climate. The public sector should reinforce private business decisions that make sense, and the public sector should stimulate business arrangements by levering public assets and public expenditures that would have been made in any event (such as leasing office space, or installing fibre-optic infrastructure, or adjusting levy and regulatory regimes to produce a more positive business climate).

10.4 Given present and near-term future fiscal conditions, however, the Regional Municipality should avoid any situation that requires it to get into a long-term business partnership with a private firm or landlord, other than as a business tenant or vendor of land or rights-of-way. This is not to preclude, however, one of the municipalities taking options on strategic properties. Developing a "marketing prospectus" that aims to interest potential investors, and to address realistically their economic concerns about Downtown business conditions, could make a major contribution to revitalizing key properties and districts within the Downtown. One option might be to offer to match a solid commitment of private-sector investment with some corresponding ratio of public-sector funds in associated and supporting public amenities or infrastructure. But the public authority should always position itself as limiting its risk of loss, even at the expense of foregoing opportunities to share in anticipated profits and revenues.

11.0 How do we get people to come Downtown?

11.1 If you look at the most successful downtowns across North America and Europe, you are stuck with the fact that residents, in particular, do not need to be encouraged "to come downtown". Aside from tourists and visiting business people, who typically see a Downtown as the signature of the city, the most successful Downtowns do not need to encourage people to "come downtown", because they ARE downtown. If one looks at college towns, for example, like Kingston (Ontario) or Heidelberg (Germany) or Florence (Italy), the downtown thrives because its own downtown residents make it an interesting place to work, play and visit.

11.2 Only when Hamilton-Wentworth residents regain their love visiting their Downtown, and only when the desire to live Downtown outstrips the availability of housing, is it realistic to think that our broader promotional efforts will help revitalize Downtown. Out-of-town tourists and investors are unlikely to show more interest and confidence in our Downtown than we do.

11.3 In addition to having a relatively largely number of downtown residents, successful downtowns reflect a diversity of incomes and social strata. Our downtown has neither. Our downtown (in common with too many others across North America) has a relatively small downtown resident population. In addition, the relatively low cost of nearby north-end housing tends to attract a disproportionate number of lower income

residents. While being able to offer reasonably priced housing for low-income people is a positive feature of Hamilton's downtown, it inevitably militates against economic and social diversity. In our case, moreover, this lack of social diversity has been accentuated by concentrating most of the social services and extended health care services in this area, not just for the Hamilton area, but for the much of the area encompassing Niagara and Mid-West Ontario.

11.4 The net effect of this concentration is to produce a relatively smaller population of middle-income residents than would be seen elsewhere. This 'concentration' of lower-income residents also detracts from the important social goal of a heterogeneous social structure in the central city. It has the collateral effect of attracting a disproportionate number of people with a complex array of social, medical and psychological needs to settle in the downtown, to be convenient to these support services. This sequence of events has the by-product of giving the Downtown a distinctive but not especially positive aspect to the casual visitor, and it materially limits the market for a wider range of goods, commercial services and "entertainment" uses. Of course, we should not look to displace low-income Downtown residents, but as we expand the resident population of Downtown, our goal should be more social and income diversity.

11.5 We should adopt one of the long-standing adages of tourism promotion, which holds that if you make your community interesting for your own residents, the rest of the world is much more likely to believe you when you promote its merits externally. "Boosterism" failed in Buffalo's economic-development and tourism promotions because, in large measure, Buffalo area residents didn't believe in their own message, as they demonstrated with their investment, housing and shopping choices. If we can make our Downtown a popular residential community, for a full range of social and economic groups, it will have the diversity and interest that will spawn other investments. In simple terms, if the Downtown has lots of housing and lots of entertainment opportunities, the rest will follow. We should not need to subsidize expensive free-standing "destination" facilities, in the hope that out-of-town visitors will salvage our downtown with their tourism and entertainment dollars.

A VARIETY OF PRESCRIPTIONS FOR A VARIETY OF SYMPTOMS

12.0 Retailing

12.1 Downtowns have spent too long fighting a rear-guard action against contemporary trends in retailing, commerce and manufacturing. As it stands now, we have far more conventional retail space Downtown than even a buoyant market could be expected to support. We should design our strategy to embrace those aspects of contemporary economic trends that can, with modification, be served better from a Downtown location, either due to market, cost or adaptive reuse. Some markets for "category killers" and "box stores" would likely be more easily accessed from a downtown

location (for example, those geared to Generation X or tourists). In major US and British centres, there are good examples of "box stores" thriving in downtown locations where the marketing is targeted: HMV, LL Bean, Sports Authority, Barnes & Noble, and similar outlets have demonstrated the potential direct and indirect impact of a good Downtown location for a "box store" use.

12.2 In addition to the idea of specialty market "box stores" in a downtown location, our Downtown has considerable potential to take advantage of the longer-term relative weakness of the Canadian dollar and the proximity of US air and road access, by attracting name-brand US "outlet" chains to our Downtown, both to serve the US travel market and our own Southern Ontario domestic market. Enticing US firms without a Canadian presence to our Downtown has considerable potential to give us a distinctive market niche, while allowing major US firms to "test" the Canadian market at a lower risk.

Action Step #1:

The Regional Chairman, the Mayor and the Chairman of Economic Development & Planning, with the support of the two CAOs and the Director of Economic Development, should initiate specific contacts at a senior level with targeted leading US "niche" retailers (such as Barnes & Noble or L.L. Bean), with a view to recruiting such firms to locate a major facility in Downtown.

To support this effort, staff from the City and the Region, with the aid of the development community and the BIAs, should prepare a detailed comparison of the cost of doing business in Downtown Hamilton, in relation to the costs in other downtown locations and comparable suburban locations.

13.0 Commercial Properties

13.1 In keeping with the concept of staying ahead of emerging economic trends and cost-structures, we see from experience elsewhere that older buildings can be a platform for the new economy. Renovations to space extensive but inefficient older commercial buildings can make them attractive to software houses, design studios, and call-centres.

13.2 Hamilton is well positioned to take advantage of these trends. In industries such as contemporary music, advertising, design and internet services, a number of features combine to make Downtown as attractive as other similarly positioned inner-city micro-economies. The features include: the availability of low-cost space; convenient access to the Toronto marketplace, and excellent fibre-optic and courier services; and, a computer-literate workforce with convenient support from Mohawk, McMaster, Sheridan and Waterloo institutions and a number of commercial suppliers.

Action step #2:

City and Regional staff, in co-operation with members of the Hamilton Society of Architects, should contact landlords of major vacant commercial buildings, seeking permission to develop architectural renderings of possible adaptations of existing commercial and residential space, suitable for artists, designers, software houses, studios, loft apartments and similar uses. The proposed Downtown Co-ordinator would have this as a principal responsibility, but in the interim, the initiative should be managed by the Director of Economic Development, on behalf of the City and the Region.

13.3 Downtown Hamilton has better fibre-optic connections than most of the Greater Toronto Area, including the potential for excellent communications linkages with the Northeastern United States through the Niagara Frontier. These connections have the potential for greatly enhancing the region's appeal for association headquarters and commercial "back-office" uses, both of which require the type of office space so plentiful in Downtown. But Ontario business people tend not to think of Hamilton as a communications centre, so we must develop take steps to broadcast that message.

Action Step #3:

The Region and the City should champion the creation of improved fibre-optic network opportunities, radiating from the Downtown. To demonstrate the potential of fibre-optic infrastructure and our commitment to a modern Downtown economy, the Region and the City, through the CAOs and Hamilton and Wentworth Libraries, should sponsor the development of a Downtown-centred public-sector network infrastructure over the next twelve months, in co-operation with educational institutions and the regional cable television industry.

13.4 The Region and the City should also promote improved telephone and postal services, as the basis for promoting the Downtown as a focal centre for national and regional associations and societies, as well as for call-centre uses. Special efforts should be made to entice the Canadian Society of Association Executives to have its conventions and meetings in Hamilton-Wentworth, in order to give us the opportunity to encourage its institutional members to consider Downtown Hamilton as a potential site for both headquarters and back-office functions.

Action step #4:

The Region and the City (through HECFI) should make a special effort to cultivate the Canadian Society of Association Executives, with a view to confirming its convention in Hamilton in 1997 and doing everything feasible to ensure a large participation by its members. When the convention is held in Hamilton, the Region's Economic Development Committee members and staff should make a special effort to demonstrate the strength of

the potential of Downtown as an "association headquarters" node.

14.0 Commercial Property Redevelopment

14.1 The Region and the City should work together to minimize the cost of doing business downtown, and to impose disincentives for vacating, demolishing and underutilizing Downtown commercial property.

14.2 Using the new provisions of the Municipal Act, the Region should impose licensing requirements on vacant lots that are used primarily for paid short-term stay and long-term rental parking lots, aimed at promoting their highest and best use. Licensing fees should be imposed to offset any property tax advantage realized by demolition, and licensing conditions should include provision for landscaping, transit shelters, surface treatment and handicapped access. Special efforts should also be made to enforce any site maintenance conditions imposed as a requirement of demolition or redevelopment approval.

Action Step #5:

The Region and the City should explore the feasibility of developing a commercial parking lot licensing by-law, and a site maintenance by-law for non-paid or non-parking-lot uses. The objective would be to ensure that floral plantings and street furniture are prominent features of vacant lots, and the licensing fees should be set at a rate that offsets the property tax gains realized by building demolition, and provides a financial spur to develop vacant lots. Councillor Frank D'Amico, as Authority Chairman, and the Hamilton Parking Authority may wish to pursue this and related parking initiatives.

14.3 Recognizing that assessment reform may take some time, and may not be as favourable as anticipated, the municipalities should take steps now, even if it has the effect of reducing the amount of taxes paid by current businesses. City staff should assist existing landlords and commercial tenants to minimize their realty and business tax liability through careful designation of their property uses. City staff should lend their considerable technical and analytical resources to support tax appeals by established businesses, and conversely, pursue aggressively any appeals from property owners leaving properties vacant or proposing demolition of useful buildings.

Action Step #6:

The Region and the City should create a "Business First Program" and/or a "One Stop Shopping" concept for dealing with Downtown tax and assessment issues. So that appealing property owners get relief as quickly as possible, the City and the Region should determine whether they can facilitate a process through which the Ontario Municipal Board would agree to mediate settlements between the Assessment Commissioner and the

appellants, especially those affecting existing non-institutional commercial uses, or as part of an agreement with specific landlords for the redevelopment of their underutilized properties.

14.4 The City and the Region should explore the potential for granting property tax exemptions under the Municipal Act for municipal and quasi-municipal uses, including time-limited exemptions for commercial buildings that lease to local government tenants (City, Regional Municipality, school boards, etc.).

Action Step #7:

The Region's Financial Services staff and the City's Treasury staff should explore measures to grant full or time-limited property tax exemptions to municipal and cultural facilities offering municipally financed programs and services to the community, to be effective for the 1997 taxation year. To cushion the potential negative effect on school boards, the Region and the City should consider a grant to phase-in these exemptions.

14.5 It should be the responsibility of the Downtown Coordinator to recruit new commercial and retail tenants (both long-term and shorter-term), or to relocate them to more suitable downtown locations. It would also be the responsibility of the Downtown Coordinator to facilitate meetings with property owners and prospective investors, either individually, or on a block-by-block basis, with a view to creating redevelopment opportunities. The Downtown Coordinator would be particularly conscious of the objective of ensuring that properties remain leased and in occupancy, and to use the range of commercial leasing and business plan development resources available through the Economic Development Department.

15.0 Housing

15.1 The future of Downtown may depend on its commercial and retail vitality, but its commercial and retail vitality depend on our ability to increase substantially the size of the Downtown "micro-economy". Some of this growth in the "micro-economy" may be produced by increased day-use by shoppers, office workers and visitors, but the most sustained and enduring foundation for the Downtown economy would be to generate a larger, more diverse resident population. If we redefine the Downtown as its own "neighbourhood", we find that the Downtown resident population is relatively small. We would propose to double the residential population over the next seven years, with a judicious mix of middle-income housing, lower-income housing and "specialty" housing (students, "lofts", seniors). The numerous vacant lots in the immediate vicinity of Downtown would form the core of this effort to produce new housing.

15.2 The promotion of new residential projects will focus on rebalancing the mix of residents in the Downtown, including lofts for artists, and mixed-use developments that

would cater to those in such industries as computers and graphic design (Lister Block?).

15.3 Responsibility for spear-heading housing projects should fall to the City of Hamilton Housing Corporation, with the support of the City, the Region, and the City Parking Authority.

Action Step #8:

Over the next twelve months, the City of Hamilton Housing Corporation, under the chairmanship of Councillor Bob Charters, should "option" several properties, and develop a prospectus for them individually or collectively. (The commercial real estate professionals with a regular involvement Downtown should be part of the effort to redevelop targeted sites, and their efforts should complement those of the Housing Corporation.) Officials of the Housing Corporation should also meet with officials of the Parking Authority, to identify sites that may lend themselves to redevelopment, or that might be used to assist in meeting parking requirements for new residential or commercial projects.

16.0 Strategic Redevelopment

16.1 With the advice of the many Stakeholders in Downtown, municipal government should (either directly or through an agency, such as the City's Housing Corporation) identify four or five major potential redevelopment sites, all on or within two blocks of King Street. These sites would be optioned, and either an investment prospectus or a call for proposals would be developed to interest potential investors. The objective would be to create two or more major redevelopment projects, as "climate builder" for Downtown revitalization. Among the tools to be employed would be a relaxation of requirements for parking, park dedication and other levies and fees.

16.2 In the Downtown Charette, considerable mention was made of the potential to link the Downtown with the Waterfront and the Escarpment. As a practical matter, the most underdeveloped linkage is between the Downtown and the North End, including the Harbour Lands and the West Harbour. Consideration could be given to the creation of better transit linkages to serve this area, and moving ahead with more inviting access routes, such as the proposed Ferguson Avenue "boulevard" treatment, south of Cannon.

16.3 In an effort to forge better links between the various successful areas of Downtown, it is proposed that the Region and the City sponsor the redevelopment and revitalization of (1) the area between King and Cannon on James North, including York between Bay and John; (2) the area between Hess and the Convention Centre, on the George Street right-of-way, but incorporating and reconfiguring some of the adjacent lands and institutional buildings; and, (3) the area between Theatre Aquarius and the Broadway Cinema, to King Street East. The objective would be to promote a year-round, all-season

pedestrian linkage along these three corridors, using lighting, street-hardware, plantings and commercial uses.

16.4 Consideration might be given to "opening up" the Summers Lane enclosure and improving the potential for pedestrian flows through the west wall of the parking garage towards the George Street right-of-way.

16.5 Following on the proposal from the Downtown Charette, discussions should be undertaken with Jackson Square and Eaton Centre management, concerning the ways in which Jackson Square and the Eaton Centre could be more effectively "opened up" to York, James and King.

16.6 As provided in the Region's contract with Philip Utilities Management Corporation, the Philip Environmental group of companies should be asked to move ahead on its commitment to relocate most of its corporate functions to a Downtown location, ideally one with a new or redeveloped building.

Action Step #9:

The various proposals outlined under the heading "Strategic Initiatives" should be refined by the Downtown Partnership, and carried forward by Economic Development and HECFI staff, with assistance from other Regional and City officials, under the overall joint direction of the two Chief Administrative Officers.

17.0 Transportation

17.1 The Downtown Charette proposed that consideration be given to the installation of two-directional traffic on James North and South, and on King and possibly Main. The proposal included the concept of a so-called counter-flow transit lane (westbound) on Main Street. Such a proposal may be too extensive for a community that has come to rely on the speed and convenience of its one-way street system. However, there is merit in partial implementation of the proposal.

17.2 It is suggested that King Street be converted to a two-directional street from Ferguson to Queen, and the number of through lanes be reduced to two westbound and one eastbound. The balance of the right-of-way would be converted to flower-plantings, shrubbery, sidewalk widenings, and retail/restaurant encroachments in the warmer months, and three-hour no-charge on-street parking during the off-season. Consideration might also be given to reversing the flow on James Street, to facilitate northbound connection between Downtown and the Waterfront, including the James North commercial district and to promote enhanced development opportunities for the CN Station.

17.3 Drawing on the successful experience of Denver, consideration should be

given to establishing a no-charge belt-line bus service (without transfers) on a Queen/Main/Ferguson or Wellington/King/Queen loop. Consideration might also be given to having the Downtown service vehicles somewhat distinctive in either equipment design or exterior markings. The City of Brampton, for example, apparently makes use of a double-decker bus for limited service.

17.4 Along with Winnipeg, Ottawa and Quebec City, Hamilton-Wentworth is one of the few major urban centres without light rapid transit or conventional rapid transit. The revitalization of the Downtown and the North End, and improving the linkages between the Mountain and the Lower City might be facilitated by the installation of some form of light rapid transit connection or funicular railway between the north Mountain (including parking) and the Waterfront, with convenient Downtown connections. While this idea has been considered in some guise for generations, its consideration as a development tool for Downtown and the Waterfront, rather than simply a transit project, may justify its more serious consideration this time.

17.5 Consideration should also be given to the establishment of dedicated multi-passenger lanes on Downtown arterials, primarily to serve HSR vehicles.

17.6 The Region should negotiate with the Student Councils at both Mohawk and McMaster for the provision of a no-fare "downtown routes" bus pass, to be financed as part of the annual roster of student activity fees.

17.7 At the same time as altering the direction of traffic on King and James is being evaluated, consideration should be given to the merit of a permanent closure of the south "leg" of King Street, between James and Hughson or John and Hughson, with the attendant relocation of transit bus staging to a parallel street or bus "mall".

Action Step #10:

Proposals for carrying out the measures outlined under the heading "Transportation" should be refined by the Regional Commissioner of Transportation and appropriate Hamilton City officials, in consultation with the Downtown Partnership, and presented for consideration by the Regional Transportation Services Committee and the Transportation & Environment Committee of the City.

17.8 Downtown should allow universal 3-hour parking off-street parking in all municipal lots, at no charge to the user. The charge for on-street parking should be one-dollar per hour, with a metered maximum of three dollars.

Action Step #11:

The City of Hamilton Parking Authority should consider proposals to institute a

universal 3-hour off-street municipal parking charge, before November 1, 1996. The Region's Transportation Services Committee should also consider opportunities to expand the availability of metered and unmetered on-street parking, coincident with proposals for reducing the width of main Downtown arteries.

18.0 Land-Use Planning & Design Controls

18.1 The Downtown should be designated a secondary planning area, and created a separate "neighbourhood" within the City of Hamilton and Hamilton-Wentworth Regional Official Plans.

18.2 Main Street should be developed as the premier institutional address for Hamilton-Wentworth Region, featuring such uses as City Hall, the Board of Education, the Court House and commercial and governmental addresses. As such, there should be extensive landscaping and street hardware, and the use of portable signage should be restricted to the greatest possible extent between the University and Victoria.

18.3 To the extent that the City of Hamilton determines that buildings have heritage and architectural value, the City should seek to acquire facade easements rather than entire buildings. Given the present fiscal climate, the City should seek to acquire facade easements by dedication as a condition of development, rather than purchasing them. Likewise, given the Regional Municipality's financial challenges, the Region should not find itself acquiring real estate to promote aesthetic objectives.

18.4 Regional offices should be used to lever developments, and be prepared to move periodically to stimulate downtown redevelopment projects. If appropriate, the Region should reconsider its near-term decision to occupy the Wentworth Court House, particularly if another, new institutional user could be found for that property and the Region's office requirements could be used to lever an additional downtown development.

Action Step #12:

Under the direction of the Regional Clerk and the CAO, the program of relocation should begin immediately, with the objective of relocating all available regional offices by mid-1997. Although some "rounding out" of existing staff accommodation needs is justified, the majority of available Regional office space, including the offices of the Chairman and the CAO, should be relocated to properties where the office-space lease would create new development opportunities, rather than merely being located in an existing properties in east Downtown.

To launch this exercise, the Region or the Hamilton Housing Corporation should consider a Request for Proposals approach to the selective redevelopment of key sites, using Regional office space as a factor in improving the economic viability of a

redevelopment proposal.

18.5 As part of the effort to promote the second-tier of streets parallel to King Street, consideration should be given to the potential for redeveloping the interior of the lots facing King William, especially between James and Hughson, provided that the mass and height of the proposals reflect a scale that is consistent with surrounding properties.

18.6 In an effort to parallel the aesthetic impact of mall-imposed design standards, the BIAs should consider the feasibility of requiring a uniform awning or signage standard for areas with a commercial affinity. To make the Downtown more "mall like", municipal authorities and BIAs should investigate ways in which landlords and commercial tenants could be persuaded to enter into risk/reward agreements to promote consistency in the application of marketing, urban design, business focus, store facades, selection of types of businesses, etc.

18.7 The Hamilton Society of Architects, and those participating in its Downtown Charette, have contributed a number of exciting ideas on possible development opportunities within Downtown, including the adaptive re-use of a number of buildings and sites. These ideas are to be catalogued and presented to the community. This material can form an excellent basis for introducing prospective investors to the many exciting opportunities for Downtown revitalization, as well as helping us here in the community to look afresh at a Downtown that can become too familiar in its existing format.

18.8 Assuming that the Regional office relocation effort proves successful, space will be vacated in the Ellen Fairclough Building and potentially in other Downtown office buildings. While there is apparently an abundance of Class B office space Downtown, the priority of geographically targeted redevelopment justifies some specific new office space being developed. However, as existing space is vacated, there will be need to recruit replacement tenants, especially for "government" buildings. As Provincial and Federal consolidation and down-sizing proceeds, we should put forward a strong case for scattered "field offices" being consolidated in Hamilton as a major regional centre for senior levels of government.

19.0 Strategic Initiatives

19.1 The entertainment dollar holds one of the greatest potential sources of revenue for the Downtown. To sustain entertainment spending Downtown, we must sustain our major cultural attractions and encourage them to focus on a mainstream, community-oriented market. To make the best use of the facilities already in place, we may wish to explore the potential for more partnerships and strategic alliances among Theatre Aquarius, the Art Gallery, "Hamilton Philharmonic", Opera Hamilton, Football Hall of Fame, etc. with Ontario-wide and Western New York State counterparts. The interests of the Downtown are best served if the events in the HECFI facilities attract the

widest possible audience (both in numbers and geographic extent). The most lucrative HECFI dates should not be routinely allocated to community events with more limited appeal and greater scheduling flexibility.

19.2 Special efforts should be made to utilize the extensive collection of the Art Gallery (especially potentially large-appeal collections like the Gallery's Group of Seven holdings). The great success of limited-run, advance-ticketed attractions is evident in such events as the Barnes Collection at the Art Gallery of Ontario and, most recently, the stunning success of the Jackson (Mississippi) exposition of the Russian Hermitage Collection.

Action step #13:

The Regional and City CAOs, the Director of the Art Gallery and the members of the Board of the Art Gallery should discuss ways in which the Region could assist in the mounting of a major exhibition from the Gallery's permanent collection, aimed at mass-marketing the Art Gallery during 1997.

19.3 In the interests of building professional sports use of Copps Coliseum, Economic Development should convene a meeting of the Mayors and Regional Chairmen/County Executives from Quebec City, Sasaktoon, Winnipeg, Nashville, San Francisco, Atlanta, New Orleans, etc., to consider developing a business proposal to the NHL for a "Second Division" NHL league, on the model of the British Premier Division/Second Division Football League system.

Action step #14:

With the assistance of the Regional and City CAOs, the CEO of HECFI and the Director of Economic Development should develop a proposal for a Second Division NHL, to be presented to the Mayors and County Executives/Regional Chairmen of interested communities during the 1996-97 NHL season, with a view to making a formal presentation to the NHL Board of Governors in 1997.

19.4 Municipal support for new public attractions ventures should be limited to Private Act time-limited tax exemptions or a deed of land and waiver of fees. The Region should neither underwrite or guarantee loans, nor commit itself to sharing any operating deficit on an attraction facility. Reinvestment and more market-appealing presentations in the Canadian Football Hall of Fame and Whitehearn could complement new facilities, such as the proposed Canadian Popular Music Hall of Fame.

19.5 The recently announced interest of the Hamilton-Halton Homebuilders Association in Downtown is an important development. It is a vote of confidence by a group that is in a unique position to stimulate positive new development and new energy in

Downtown. It is also important to consider the model selected by those who know the market-place best: builders and developers. They have selected a low-rise, medium-density style of commercial development, which has an appearance quite similar to the mixed commercial/retail style that one sees in successful mixed-use downtown neighbourhoods, like Newbury Street in Boston.

19.6 The Region and the City should explore the concept of expanding the scope of the Homebuilders' initiative into building a neo-traditional neighbourhood on vacant and underutilized property Downtown and in the adjacent North End and Waterfront. The success of communities such as Seaside, Florida, points to the potential to make Downtown attractive to a wider variety of people, and to promote the style of residential community that will bring both vitality and greater residential density to Downtown. Certainly the style of this development closely parallels the development that made for such traditional neighbourhoods as the Durand neighbourhood adjacent to the Downtown, and reflects the potential for neighbourhood integration, such has been achieved on the Ryerson School site. *(See attached article for more details on this concept)*

19.7 To date, with the possible exception of Harbour Town (Memphis), most neo-traditional projects around North America have been suburban in character. Hamilton-Wentworth could put itself on the urban planning map, and reinforce its leadership position in the sustainability movement, with a successful application of the neo-traditional model to an inner-city site. Such a project would also be a concrete example of our efforts to promote intensification and to work within the moratorium on "greenfields" infrastructure expansion.

Action step #15

The City of Hamilton Planning Department and other City agencies, together with the Regional Environment Department, should initiate a review of available sites adjacent to the downtown, suitable for the creation of a neo-traditional neighbourhood, in conjunction with groups such as the Hamilton-Halton Homebuilders and the Hamilton Society of Architects. Plans should be developed for completing all necessary environmental, legal and planning approvals before the end of 1997.

TURNING SOUND DREAMS INTO WORKABLE SCHEMES

20.0 Governing structures

20.1 There is a tendency, which is not limited to public-sector organizations, to move from diagnosis to implementing structure, and to leave the design and content of the response to the new structure. But as in business and government, form should follow function, and the strategic and economical use of volunteer time and professional talents should guide the decision to create new or reformed organizational structures. It appears

that we may have lost sight of this basic principle in our eagerness to see action taken on Downtown.

20.2 For several years, the various BIAs and more recently the Founding Board of the GHDCDC have consumed a considerable volume of volunteer hours and staff time, endeavouring to identify the problems facing downtown, and finding practical solutions to them. But the public perception is that there are a lot of organizations, ranging from the Region (Economic Development, Chairman's Office, Transportation, Regional Police Service) and the City (Planning, the Mayor's Office, Parking, Traffic, HECFI, Historical Board) to the Renaissance Project, the BIAs and the Chamber of Commerce, who have been looking at elements of the problems facing Downtown, from various perspectives. The public perception is that we have lots of people looking at the problem, but the problem persists. We must avoid giving the impression to our increasingly impatient Regional Community, that our ultimate solution for the problems of the Region's heart is to create yet another structure, replete with a new set of committees and subcommittees.

20.3 The legislation that gave rise to the community development corporation initiative was passed as something of a "leap of faith" by the previous Ontario Government, but little of that initiative remains. The funding for venture capital initiatives has been spotty and its overall impact a disappointment. Where they have shown any promise at all, and that has not been very common, development corporations appear to have evolved into either economic development corporations or essentially BIAs with a wider range of stakeholders. While the Interim Founding Board has laid the groundwork for the revitalization of the Downtown over the past year, by clarifying the issues and offering possible areas for action, it seems unlikely that a conventional Community Development Corporation can achieve the plan of action outlined in this report, should it be approved, and it would be unfair to ask those involved to attempt the effort with so little prospect of success using the community development corporation vehicle.

20.4 Most of those with an interest in the Downtown, both direct "stakeholders" and concerned citizens, come to the subject representing organizations and firms with a demonstrated interest in the Downtown and the broader community. It seems inefficient and wasteful of existing resources and time to overlay a new, fully elaborated structure on these individuals and to require their organizations and firms to relate to it. It would seem more practical and efficient simply to recruit these organizations, individuals and firms to address those elements of the problem where their time, talents and resources can be best employed. To the extent that the Downtown initiative requires guidance at arm's length from "City Hall" and the Regional Municipality, that can be achieved by a small, leadership-oriented body, focusing on strategic initiatives and using their influence to enlist established groups and individuals to address elements of the tasks at hand.

Working with, and through, others

20.5 The revitalization of the Downtown will ultimately be the product of a broad-based co-operative effort - a true community partnership. A key aspect of any multi-party partnership, however, is the ability to work with and through others, rather than taking on the whole assignment, or duplicating efforts and talent already in place. As a result, it is recommended that the structure of the proposed development corporation be altered to one of a "Downtown Partnership", with specific task forces and project-assignments enlisting stakeholders from the areas most specifically affected by this report.

By altering the format, we should be able to achieve three results.

First, we can recruit leading members of the business and professional community to join those already involved in the effort to revitalize Downtown, but who would not be in a position to give the time commitment that we have been expecting of the Founding Board.

Second, by giving the responsibility for strategy and direction to the Downtown Partnership, but leaving the implementation effort to individuals and their organizations, we can make better use of the time and talent of those from the community and the Downtown business sector who have been working with the Development Corporation Founding Board with, to be honest, not much to show for their long hours of effort.

Finally, the large collection of municipal and BIA staff who routinely attend meetings of the GHDCDC and the Downtown Initiatives Committee, among others, can be used more effectively in conjunction with the efforts of more task-oriented groups, such as HECFI, the Parking Authority, the Housing Corporation, the BIAs, the Economic Development Department, and other City and Regional groups.

20.6 It is clear from the comments of participants that regular meetings of the GHDCDC are not achieving the action agenda that original membership promised, when the participants were persuaded to volunteer. It is therefore proposed that the proposed Downtown Partnership be reformatted (if necessary by Regional Council and City Council) to allow it to assign specific responsibilities to individual groups of stakeholders and established organizations. The Downtown Partnership would reserve to itself a more narrow and more strategic role, to be carried out by a Partnership Board that meets periodically to review progress and assign work, and with a small but committed group of directors comprised, in the majority, by recognized community leaders from business, labour, community institutions, the media and government. Guiding the Partnership's activities on a weekly basis would be an executive group, consisting of perhaps four or five Partnership Directors and the Downtown Co-ordinator, supported by the participation of a senior staff official from the Region and from the City, designated by the Regional

Chairman and the Mayor, respectively.

20.7 If the proposed Downtown Partnership decides to take advantage of the community development corporation legislation to carry out its tasks, its objects of incorporation should be more general than has been proposed to date, and the weight of the originally proposed structure and the numbers required to be directly involved, should be substantially reduced.

Action step #16:

The Director of Economic Development should be directed to propose five or six individuals to comprise a Nominating Committee for the proposed Downtown Partnership, with the Nominating Committee reporting to Regional Council and City Council before the end of October.

Creating the "Downtown Neighbourhood"

20.8 Responsibility for initiating and carrying forward the community consultation process, leading to the creation of the Downtown as a separate neighbourhood should be led by a City of Hamilton Council member, with support from the City's Planning Department. This Council Member should have carriage of the planning program that would lead to the creation of the Downtown Neighbourhood Plan, especially as it relates to consultation with stakeholders, and to be a member of the Board of the proposed Downtown Hamilton Partnership. Since much of the secondary planning process technical work has already been undertaken, this additional step will be largely a matter of communication and reworking existing data and plans.

Action Step #17:

The work program of the City of Hamilton Planning Department for 1997 should be altered to allow for the creation of a Downtown Hamilton Secondary Plan amendment, aimed at creating a separate Downtown Neighbourhood within the City and Regional official plans. In light of his continuing involvement with the Downtown business community and his prominent participation over the past year with the Community Development Corporation, Councillor Marvin Caplan might be the best person to work with the Downtown business and residential community and to lead this effort to develop a Downtown Neighbourhood Plan, working along with the Chairman of the Planning & Development Committee and the Ward Aldermen.

20.9 It is proposed that specific tasks related to the recommendations in this report and other priorities identified by the proposed Partnership, be assigned to the most appropriate and representative community or public organization. For example, a specific assignment of responsibilities should be negotiated with the City's Housing Corporation, to

take the lead in promoting and assembling land for residential and non-residential redevelopment projects within the Downtown, both by optioning lands held in private ownership and by "leveraging" properties in public ownership, including those held by the Parking Authority. A similar approach should be taken on other priorities, for example by developing a formal business relationship with the BIAs, supplemented by the participation of key stakeholders who are not participating merchants and professionals.

A Downtown Co-ordinator

20.10 To ensure that the work of the Partnership proceeds in a timely fashion, it is suggested that the Downtown Partnership engage a full-time, contract employee (Downtown Development and Marketing Co-ordinator or "Downtown Coordinator") with expertise in real-estate finance and urban design, to carry-out these measures and others recommended by the Partnership and those outlined in this report. To ensure continuing effective liaison with the municipal authorities, it is suggested that the Chief Administrative Officer of the Region be designated as the Manager of the Downtown Partnership, with the Downtown Co-ordinator reporting to the Manager of the Partnership for administrative direction. The CAO of the Region would work with the CAO of the City of Hamilton to recruit any staff that can assist in meeting the objectives outlined in this report, and in supporting the work of the Downtown Partnership and the Downtown Coordinator.

20.11 The Downtown Coordinator would hold a position at arm's length from the City of Hamilton and the Region of Hamilton-Wentworth, and he/she would be located in a Storefront location within the Downtown. The cost of the position would be fully funded by the Region of Hamilton-Wentworth, beginning in 1997. In the interim, municipal staff would begin work on the various action steps suggested in this report. The cost of "optioning" properties for Strategic Redevelopment initiatives, especially those in the housing field, would be assumed by the City of Hamilton Housing Corporation, whose letters of incorporation should be modified to embrace the expanded role, if required.

Action Step #18:

The CAOs of the Region and the City should ensure that provision is made to engage a Downtown Co-ordinator, to be interviewed and selected by the Downtown Partnership, and that 1997 budget funds are made available for this purpose, including associated office support and office space. It is suggested that the Co-ordinator be independent of municipal authorities as much as possible, but reporting administratively through the Director of Economic Development and budgeted through the Office of the Chief Administrative Officer of the Region. For this venture to be a success, it will realistically require a commitment of several hundred thousand dollars of public funds, annually, to be shared equally by the Region and the City, ideally from the increase in assessment generated by a revitalized Downtown.

The Municipal Response

20.12 While attempting to develop a strategy for mobilizing the community, it falls to the Regional Municipality and to the City of Hamilton to get our own houses in order, on the subject of downtown revitalization. Past and current municipal councils have taken a number of individual initiatives, and the recent spate of adjustments to parking and development fees are clear evidence of good intent. These recent initiatives complement past efforts in the area of physical investments in facilities, streetscaping, parks, and road-side horticulture, but more must be done.

20.13 In taking these measures, however, municipal authorities must be on their guard against conveying an impression of desperation. One might argue, for example, that the blanket exemptions reflected in the waiver of fees is a fairly blunt instrument, and it inevitably applies to developments that one would like to see, and developments that merely reflect the suddenly reduced cost of doing business. Further concessions might best be applied selectively, to encourage modifications in development proposals to meet municipal objectives, or to promote desirable developments that might not otherwise proceed.

20.14 In government as in other fields, the real test of determination to achieve results is assigning time and money to the problem at hand. For its part, the Region's 1997 Operating and Capital Budgets should segregate the full range of expenditures (and revenues) associated with Downtown and related Waterfront activities, including the staff time associated with such activities, all of which are current spread across a number of departments and agencies, ranging from public health and planning, to police and conservation authority. There should be a renewed commitment by municipal authorities to invest in the Downtown, but to do it in a targeted and prioritized manner that reflects both the urgent need and the fiscal environment. While we may not be able to spend much additional money and time in the Downtown, we may find that redirecting it and targeting it to priorities will have a greater impact, and be complementary to the efforts of Downtown stakeholders. These budgets should be reviewed annually by the Partnership, beginning this Fall.

Action Step #19:

The Acting Commissioner of Finance for the Region and the Treasurer of the City of Hamilton should arrange for the 1997 City and Region Current and Capital budgets to reflect Downtown activities and priorities, including the measures outlined here.

In particular, consideration should be given to cost-sharing on the office of the Downtown Co-ordinator and related activities (estimated to cost several hundred thousand dollars annually), a program of capital improvements (street-scaping, curb-side flower-planters, roadway and traffic improvements, sidewalk widenings, etc.), estimated to cost

between $2 million and $4 million, and some initial capital investment funds to support Downtown attractions with a demonstrated business case to support their ongoing viability (e.g., Market; revitalized Football Hall of Fame; new tourist, entertainment or cultural attraction; etc.).

N:\Downtown.823

"STRONG MEDICINE" - SUMMARY OF ACTIONS

ACTION #	SUMMARY DESCRIPTION *	RESPONSIBILITY **	MEASUREMENT OF SERVICES	PRIORITY (to be determined)
1	Attract key US "niche" retailers	Regional and City CAOs, Regional Chairman, Mayor, and Economic Development	Opening of a key "niche" retailer downtown by January 1/98.	
2	Prepare plans for renovation of key vacant buildings	Development Co-ordinator (interim Economic Development), Hamilton Society of Architects, and City Planning Department	Presentation of renderings to building owners.	
3	Improve fibre-optics opportunities in the downtown	Regional and City CAO's	Downtown network infrastructure by Sept./98	
4	Canadian Society of Association Executive Convention in Hamilton	Economic Development and HECFI	1997 Convention in Hamilton	
5	Develop a commercial parking lot licensing by-law	Regional Chairman, Parking Authority, City Council	Improved vacant lots and reduced demolition for new lots.	
6	A "one-stop shopping" concept for dealing with tax and assessment issues and general development information.	Economic Development, Regional Finance Services and City Treasury, Planning, Building, and Public Works Departments	Reduced business and property tax requirements, successful assessment appeals	
7	Property Tax Exemptions for municipal and quasi-municipal uses.	Regional Financial Services and City Treasury Departments	Exemptions to key properties. Movement of municipal programs/offices into vacant commercial buildings	
8	City Housing option and development prospectus for key downtown properties.	City of Hamilton Municipal Non-Profit Housing Corporation	The development of key site(s) for housing	
9	Implementation of "strategic initiatives" identified in the downtown charette.	Economic Development, HECFI, and Hamilton Society of Architects	Implementation of various "strategic initiatives" in the downtown	
10	Implementation of "transportation" initiatives with the aim of creating a more "people friendly" environment.	Regional Transportation and City Public Works Departments	Improved environment for pedestrians and transit	

11	New parking requirements	Parking Authority and Regional Transportation Department	A universal free 3 hour off-street municipal parking charge (by Nov. 1/96). Expanded on-street parking at a rate of one dollar per hour, maximum of 3 hours.	
12	Relocation of Regional offices to the Downtown	Office of Region / Facilities Management (Regional Clerk)	The development and/or redevelopment of key properties to accommodate Regional offices.	
13	Mass-market the Art Gallery	Regional and City CAOs, Director of the Art Gallery	A 1997 major exhibition.	
14	Proposal for a "second division" NHL	HECFI, Mayor supported by Economic Development	Formal presentation to NHL Board of Governors in 1997	
15	"Neo-traditional" development in neighbourhood surrounding the downtown.	City Planning and Development Department	Suitable plans and proposals for new development for key sites in the surrounding downtown neighbourhoods and on the Waterfront by the end of 1997.	
16	Establishment of a "Downtown Partnership"	Regional and City CAOs and Economic Development	Report to City and Regional Councils recommending "Downtown Partnership" before end of October	
17	Downtown Hamilton Secondary Plan	City Planning and Development Department	Inclusion in 1997 Work Program and completion in 1998.	
18	Engage a Downtown Co-ordinator	Region and City CAOs	Establish position and necessary funds in 1997	
19	Include funding for initiatives in Current and Capital Budgets	Financial Services and City Treasury Departments	1997 Funding for Downtown - Co-ordinator, related costs and capital improvements.	

* Various actions address the live, work, shop and visit the downtown mission set by the GHDCDC Founding Board at its Facilitation Day.

** All of these actions will fall within the mandate of the to be hired Downtown Co-ordinator with the support of key City and/or Regional staff and the private sector, as required.

"STRONG MEDICINE" - ACTION PLAN

	CITY OF HAMILTON	REGION OF HAMILTON-WENTWORTH	PRIVATE SECTOR
Living	Action #2 - prepare plans for key buildings Action #8 - develop key properties (MNPHC) Action #9 - strategic initiatives Action #15- plan for neo-tradition neigh'd Action #17 - downtown neigh'd Action #19 - downtown capital budget	Action #2 - plans for key buildings Action #9 - strategic initiatives Action #19 - downtown capital budget	Action #9 - strategic initiatives Action #16 - downtown partnership
Working	Action #1 - attract key U.S. retailers Action #3 - champion fibre optics Action #6 - business first program Action #7 - tax grants Action #9 - strategic initiatives Action #19 - downtown budget	Action #1 - attract key U.S. retailers Action #3 - champion fibre optics Action #6 - business first program Action #7 - tax grants Action #9 - strategic initiatives Action #12 - relocate Regional offices Action #18 - downtown coordinator Action #19 - downtown budget	Action #9 - strategic initiatives Action #16 - downtown partnerships
Shopping	Action #5 - commercial parking requirements Action #9 - strategic initiatives Action #19 - downtown budget	Action #9 - strategic initiatives Action #19 - downtown budget	Action #9 - strategic initiatives Action #16 - downtown partnerships
Visiting	Action #4 - attract associations Action #9 - strategic initiatives Action #11 - parking charges Action #13 - market art gallery Action #14 - 2nd division NHL team Action #19 - downtown budget	Action #4 - attract associations Action #9 - strategic initiatives Action #10 - transportation measures Action #11 - on-street parking Action #13 - market art gallery Action #14 - 2nd division NHL team Action #19 - downtown budget	Action #9 - strategic initiatives Action #16 - downtown partnerships

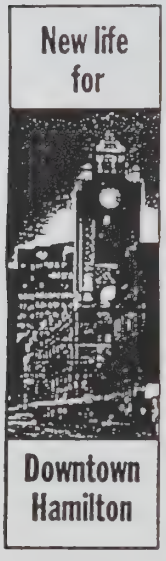
The Spectator
September 7, 1996

A blueprint for downtown

The report on renewing Hamilton's downtown core is filled with down-to-earth ideas but requires our civic leaders to demonstrate accelerated political will.

The latest strategy to renew the faltering heartbeat of downtown Hamilton cannot be shelved. Offering a prudent prescription to save the hub of the region before it dies of heart failure, the new blueprint deserves the top priority of Hamilton-Wentworth politicians and business leaders.

In terms of its comprehensive approach, and down-to-earth ideas, the 34-page game plan prepared by senior city and regional bureaucrats is outstanding. Implementing the 19 proposed action steps will test the ability of Hamilton-Wentworth's politicians and business people, but strong political leadership is pivotal to a brighter future for the inner city.



In contrast to the cautious and legalistic style of many staff reports, the report is a candid, political document. For instance, it questions the conventional wisdom that large, "blockbuster" developments such as Copps Coliseum, the convention centre and the art gallery can salvage downtown by attracting out-of-town tourism and entertainment dollars.

The report says that Hamilton's downtown showcases, although generally successful, haven't produced the spin-off development that was envisaged. "In fact, the sterility of the King Street East 'tunnel' east of Bay Street, and the underutilization of the Jackson Square roof and Commonwealth Square, suggest that public projects may have inadvertently contributed to the decline in street-level activity downtown, rather than helping it."

As the report observes, efforts to promote downtown to investors and residents from other parts of the city and out-of-town will fail if the core isn't attractive to Hamiltonians themselves. Healthy downtowns thrive because their own downtown residents make them interesting 'people places' to live, work, play and visit.

The strategy underlines the potential of converting inefficient, older commercial buildings downtown into business centres that can be a platform of the new economy. With renovations, they could be attractive to software houses, design studios and communications-based businesses including fibre-optic cable and courier services.

To help turn the recommendations into reality, the report proposes an independent czar, acting as a full-time advocate for downtown. The co-ordinator would operate at arm's length from municipal authorities, but work with the region's economic development department and other resources.

A proposed downtown partnership would also be established as a task force to get results. The partnership, consisting of government, business and community representatives, would hire the co-ordinator and identify the priorities.

It won't be cheap to establish the proposed co-ordinator's office. The report projects an investment of "several hundred thousands of dollars," shared by the region and the city. Funds would be needed in the 1997 budget. The price tag is obviously one that doesn't lend itself to an instant rubber-stamp, but a healthier downtown will in turn replenish the region and city coffers.

There is a strong case to be made for a co-ordinator as a key in pulling together all of the efforts to breathe life into downtown. The momentum is going in the right direction, but if the decline of downtown Hamilton is to be halted, the momentum will have to be accelerated.

"ONLY WHEN THE COMMUNITY REGAINS THEIR

LOVE FOR DOWNTOWN WILL THE COMMUNITY'S BROADER PROMOTIONAL EFFORTS FOR THE

DOWNTOWN BE SUCCESSFULL"

"OUT-OF-TOWN" PEOPLE (TOURISTS, SHOPPERS,

INVESTORS, BUSINESSES) ARE UNLIKELY

TO SHOW MORE INTEREST AND CONFIDENCE

IN OUR DOWNTOWN THAN WE DO!"

STRATEGY

- A DOWNTOWN HAMILTON PARTNERSHIP OF
- BUSINESS LEADERS/PRIVATE SECTOR
- CITY OF HAMILTON
- REGION OF HAMILTON-WENTWORTH

HAMILTON DOWNTOWN PARTNERSHIP



EXAMINING THE ISSUES....

THE DOWNTOWN PARTNERSHIP STRATEGY EXAMINES THE MAJOR ISSUES FACING DOWNTOWN IN A NEW, AND OCCASIONALLY PROVOCATIVE WAY, UNDER SUCH HEADINGS AS:

Are taxes too high and punitive?
Is the Downtown safe?
Is downtown a place to go through or to?
Are heritage properties an asset or a burden?
Is parking too expensive and over-policed?
What do we do about vacant lots and vacant stores?
Do we need more megaprojects?
Can Downtown attract residents of all income groups?
Does Downtown retailing have a future?

TRADITIONAL SOLUTIONS
TRADITIONAL PROGRAMS
TRADITIONAL THINKING
TRADITIONAL POLES

WILL NOT BE ABLE TO ANSWER THESE QUESTIONS!

GETTING MORE PEOPLE TO DOWNTOWN

	CITY OF HAMILTON	REGION OF HAMILTON-WENTWORTH	BUSINESS COMMUNITY/ PRIVATE SECTOR
PEOPLE "WORKING" DOWNTOWN			
PEOPLE "LIVING" DOWNTOWN			
PEOPLE "SHOPPING" DOWNTOWN			
PEOPLE "VISITING" DOWNTOWN			





SEP 5 1996

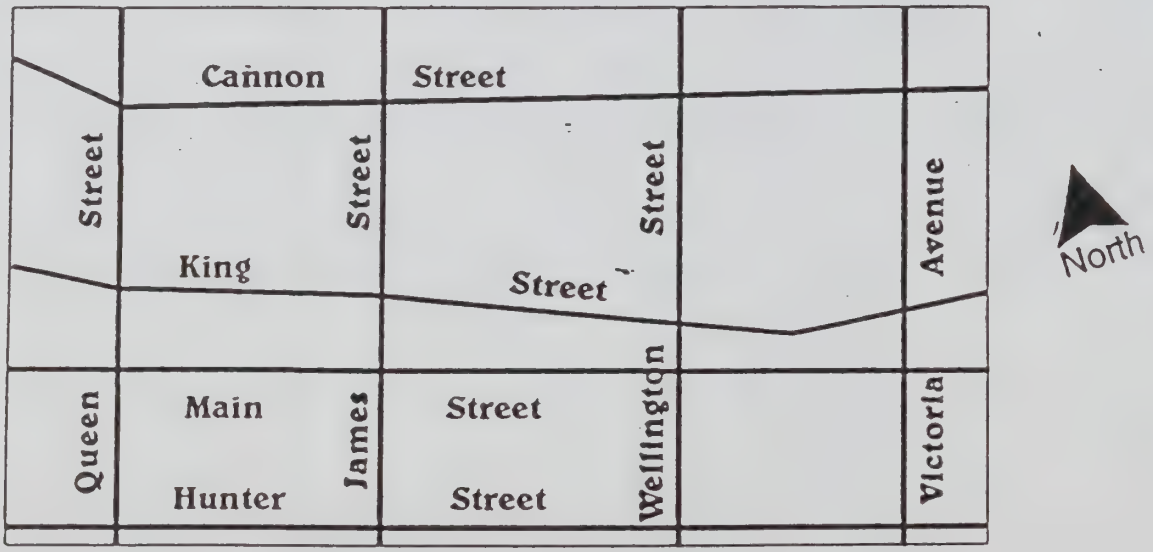
City of Hamilton

DOWNTOWN HAMILTON

"OPEN FOR BUSINESS"

The City of Hamilton has undertaken a number of key initiatives to encourage new development and redevelopment activity in the downtown area.

New residential and commercial development and redevelopment will save thousands of dollars in development charges and fees in the area generally bounded by Cannon, Hunter, Queen Streets and Victoria Avenue.



The City of Hamilton is committed to revitalizing its downtown and is offering fee rebates for new development and redevelopment projects.

Act now and take advantage of this unprecedented action. On the back is a list of actions. For further information call Willie Wong, Building Department at 546-2766 or Bill Janssen, Planning and Development Department at 546-4147.

Downtown Savings

	Before Downtown Initiatives	After Downtown Initiatives
Development Charges Commercial - City	$ 0.00	$ 0.00
Commercial - Region	$2.64 / ft^2	$ 0.00
Residential - City	single, semi or row - $1,565.44 2 or more bedroom apt. - $894.54 1 bedroom apt. - $447.27	$ 0.00 $ 0.00 $ 0.00
Residential - Region	single family - $5,113.00 multiple family - $3,798.00 apartment - $2,191.00	$ 0.00 $ 0.00 $ 0.00
Fees * Official Plan Amendment	$1,730.00	$ 0.00
Zoning By-Law Amendment	$1,730.00	$ 0.00
Minor Variance (1 or 2 family dwelling)	$250.00	$ 0.00
Minor Variance (all others)	$400.00	$ 0.00
Building Permits	$150.00 for 1st $10,000.00 of estimated construction value + $9.00 each additional $1,000.00	$ 0.00
Site Plan Application	$1,020.00	$ 0.00
Revision of Approved Site Plan	$410.00	$ 0.00
5% Parkland Dedication	5% or cash equivalent	0 % or $ 0.00, if building permit is issued by Sept. 1 1999
Public Parking in the Downtown (designated lots only)	$0.80/hr - $1.60/hr	$ 0.00 (Thursday & Friday evenings & all day Saturday)
Parking Requirements Residential	0.8 spaces per class A dwelling unit	0 spaces for renovations/conversions 0 spaces for new construction
Lot Area Requirements for Multiple Dwellings in "I" Districts	"I" District - 65m^2 (699.68 square feet) lot area per dwelling unit	gross floor area not to exceed 2.85 times the area of the lot

* Fees are refundable at the time of issuance of a building permit if issued by Sept. 1/99 and the fees are paid for after Aug. 27/96.

Reference section 19.6



LIFESTYLE

Bye-Bye, Sub

Phoenix sprawls into the desert at the rate of an acre an hour. Greate
of crime have wrecked the tranquil 'burbs of Ozzie and Harriet's tim



TELEGRAPH COLOUR LIBRARY—FPC

urban Dream

v York City stretches clear into Pennsylvania. Strip malls, traffic, fear
v can we bring civility back to suburban life? By Jerry Adler

LIFESTYLE

Paved Paradise

The 'new urbanists' are going back to the future to take the edge off edge cities. They want to bring small-town charm to blighted metropolitan landscapes.



JOHN HUMBLE

Porches, gables and picket fences—all brand new at Kentlands

WONDERFUL TOWN

Some people consider such communities too cute, but cuteness is the glue that holds them together at five units an acre

Michael Fifield, director of the Joint Urban Design Program of Arizona State University, is Tucson.

VIEWED FROM THE AIR, THERE'S NO APPARENT REASON why a city like Phoenix, Ariz., already the seventh largest in the nation, couldn't keep growing forever. Four times a year, a pilot from Landiscor, an aerial-surveying company, flies over the city at 20,000 feet, snapping pictures to be assembled into vast photographic maps. They show the white boxes of downtown, the graceful loop of the freeways as they intersect and sort themselves out by compass point, and the gleaming roofs of suburbia stretching to the horizon in nested curves of roads, streets, drives and lanes. The pictures from the end of March show 5,000 more houses than the ones taken three months earlier. Houses squeeze through the gap between two Indian reservations and follow the highways into the desert, which they are consuming at an acre an hour. Excluding federal land, the only thing standing in the way of Phoenix's swallowing the rest of the state, says

Unless, that is, you subscribe to the view of former mayor Terry Goddard, that Phoenix is approaching the marginal disutility of suburban sprawl. This is the point at which each new subdivision



JOHN HUMBLE

Kids waiting to cross a multilane road in Temecula, Calif.

NO STREET OF DREAMS

The 'civic center' of many suburbs, designed for the convenience of the car, is a strip mall along a six-lane highway

acts more from the quality than the new inhabitants will contribute to the economy by buying wind chimes, mesquite logs and Navajo-motif throw rugs. Many other places in the country are coming round to this view. Most suburbs are exploding in size without even the compensation of economic growth; the Cleveland metropolitan area expanded by a third between 1970 and 1990 even as its population declined. Over roughly the same period, California's population increased by 40 percent while the total of vehicle-miles driven doubled. Maintaining a fleet of cars to navigate among the housing tracts, commercial strips and office complexes of the American landscape now takes 18 percent of the average family budget.

As anyone who reads the fiction in The New Yorker knows, Americans mostly live in banal places with the souls of shopping malls, affording nowhere to mingle except traffic jams, nowhere to walk except in the health club. By itself, this hasn't been a reason to stop building suburbs. But economic unsustainability may carry more weight. A conference on "Alternatives to Sprawl" at the Brookings Institution this year was electrified by a report from the Bank of America endorsing the formerly elitist view that sprawl in California has created "enormous social, environmental and economic costs, which until now have been hidden, ignored, or quietly borne by society ... Businesses suffer from higher costs, a loss in worker productivity, and underutilized investments in older communities." "You can't keep spreading out," says Mike Burton, executive director of Portland, Ore.'s metropolitan government, Metro. "The cost to make roads and sewers gets to the point where it doesn't work."

THE CHALLENGE IS TO DEVISE AN ALTERNATIVE TO SPRAWL, where people can envision their children playing in the streets. It must not evoke "the city," an alien place where by definition middle-class Americans refuse to live. So a growing corps of visionaries, of which the best-known are Miami-based architects Andres Duany and his wife and partner, Elizabeth Plater-Zyberk, are looking to an even older model—the village," defined as a cluster of houses around a central place that s the focus of civic life. Under the banner of "new urbanism," they ıave promulgated some surprisingly simple and obvious rules for uilding better suburbs, described in detail on the following pages. hey can be roughly summarized in these three principles:

■ **Density:** A typical modern suburb may have one to two dwelling units per acre, and is laid out entirely for the convenience of the utomobile. The new urbanism strives for five or six units per acre, ıcluding a mix of housing types: detached houses, row houses, partments, "granny flats" tucked away above the garages. In heory—and the new urbanism still exists mostly in theory—the illage would extend no more than a quarter-mile from the center to the edge and include a transit stop and a place to buy a quart of ilk and a newspaper (actually, probably, a decaf latte and a copy of The Kenyon Review, but the point is the same).

■ **Civic space:** Suburbs—except for the streets—consist of almost xclusively private space, much of it devoted to the single most ·eless form of plant life in all botany, the ornamental lawn. A ıburb is a place that's two-thirds grass but with nowhere for kids to play ball, except in the streets. Communities need parks and outdoor public spaces in which people can gather and interact.

■ **Mandatory design codes:** Obviously, no one with a choice in the matter would want to look out his window at a 7-Eleven. New urbanist practitioners impose elaborate design and zoning controls intended to create harmonious streetscapes. The results can be intensively cute and not to the taste of people unaccustomed to seeing dormers, gables and porticoes on every building. But cuteness is the glue that holds neighborhoods together at five units per acre.

Like most visionary architectural schemes, this idea has sold more books than houses. Its principles were known to planners early in the century, when such charming communities as Scarsdale, N.Y., Mariemont, Ohio, and Lake Forest, Ill., were built. But they were forgotten in the postwar rush to build suburbs on the same principles of efficiency that had been employed in constructing army bases. Their first new application came a decade ago, when Duany and Plater-Zyberk drew up plans for a small resort town on the Florida panhandle, called Seaside. Seaside—with its cozy, narrow streets, its jumble of pastel homes with mandatory front porches—is probably the most influential resort community since Versailles. Prince Charles noted it approvingly in his BBC special on architecture. Since then other "neotraditional" developments have been built in places as far-flung as suburban Maryland (Kentlands, also planned by Duany and Plater-Zyberk) and the outskirts of Sacramento, Calif. (Laguna West, planned by Peter Calthorpe of San Francisco). But the real test of this idea will come in about a year, when the Disney Co. opens its first planned community ever, Celebration, Fla., on a 5,000-acre swath of land near Disney World. After considering a typical subdivision built around a golf course, the company opted for a plan which vice president Wing Chao described as "traditional little-town America." Celebration will either validate the new ur-

banism with the imprimatur of Disney—"safe for middle-class consumption"—or prove the point of its critics, that it's a plot to lure unwitting citizens into living in theme parks.

You can look at Phoenix as a pretty good example of what the new urbanism is up against. It is among the five fastest-growing metropolises in the country, and few places are as relentlessly suburban in character. It has a downtown so exiguous that a pedestrian outside its biggest office building at 9 on a weekday morning is a phenomenon as singular as a cow in Times Square. Meanwhile the new subdivisions race each other toward the mountains. Del Webb Corp., a major national developer, recently won approval over heated opposition for a 5,600-acre project in New River, 30 miles north of downtown and at least 10 miles beyond the outer edge of existing development. The environment, which to developers used to just be the stuff they knocked down to make room for houses, is now a cherished selling point. There is a catch, according to Frances Emma Barwood, a city council member who represents most of the sparsely populated northeast quadrant of Phoenix: "The people who bought houses in Phase One [of a popular development] were told they'd be surrounded by beautiful lush deserts, but instead they're surrounded by Phases Two and Three."

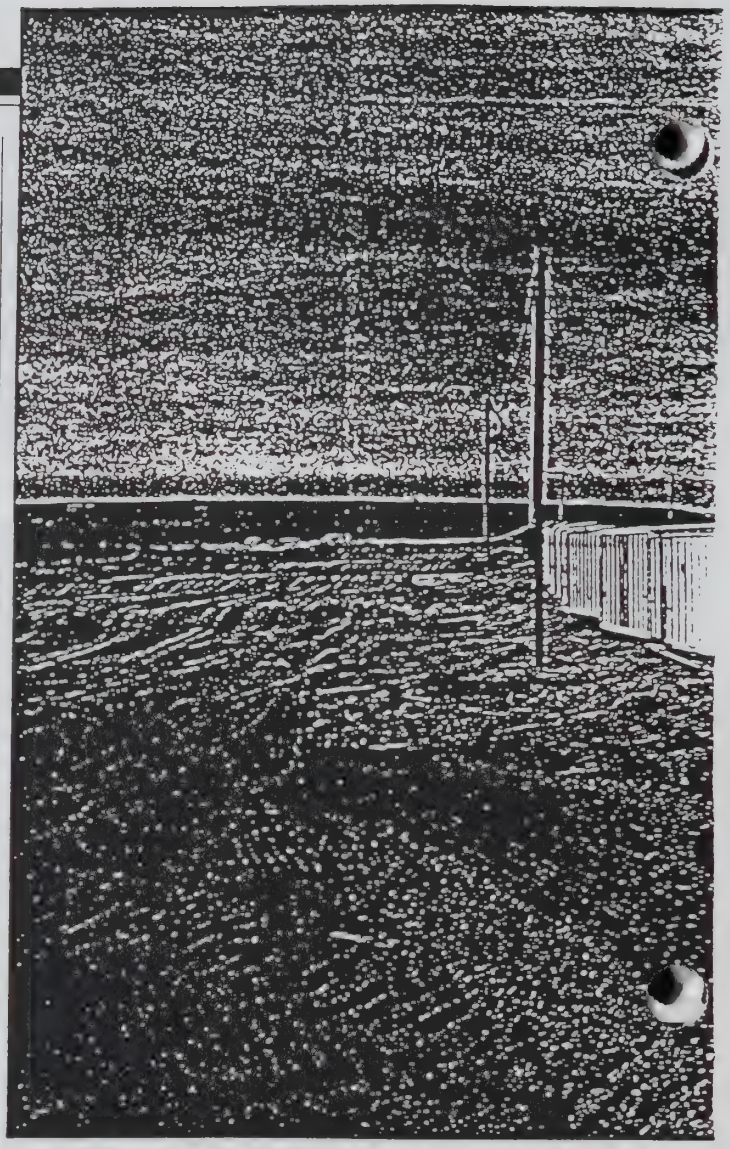


Seaside, planner American city planning went to hell during World War II, says Andres Duany, the architect who, with his wife and partner Elizabeth Plater-Zyberk, designed the neotraditionalist town of Seaside, Fla. "Any town-planning text prior to 1935," he says, "has references to social issues, to technical issues, to esthetic issues." But after the war, specialists and bean counters took over. It was as if America had suffered a stroke: "We lost language; we lost the ability to think complexly." As a result, "the suburbs we have are cartoons of planning."

LEFT BEHIND IN THIS RUSH TO embrace nature are thousands of 1960s-era ranch houses that are too old, small and unfashionable to attract middle-class buyers, and as a result are turning into that new American phenomenon, the suburban slum. This may be the fate of an area called Maryvale, which like all west-side suburbs suffers from the competitive disadvantage that commuters must drive into the sun both ways. Interspersed among the houses are large tracts of vacant land, dreary commercial strips and a mall, once the cynosure of a thriving neighborhood, now dark and empty. "For the same money that Del Webb is spending in New River, I'll bet they could buy up most of this area and rebuild it," Goddard says. "What is the imperative that says we have to go to a beautiful rural area when we have all this land a few miles from downtown? We're destroying ourselves in shorter and shorter cycles."

The imperative, as Goddard well knows, is "the market." To build in an existing neighborhood, says Jack Gleason, a senior vice president at Del Webb, is to "run against the market, instead of with it." Banks are reluctant to lend to such "infill" projects because they have no assurance the houses will sell. A prime engine of Phoenix's growth apparently consists of middle-aged couples fleeing California. This is a market, Gleason notes, heavily driven by "security," the polite term for "fear." "Fear of crime is a great motivator for development," says Joe Verdoorn, a Phoenix planner. "Everybody wants to be on the far side of the freeway."

So the new subdivisions go up behind ocher-colored stucco walls



In California, old farms are sprouting more houses than crops

DON'T FENCE ME IN

To run with the market is to develop virgin land farther out, not to rebuild dying communities closer to the city

six feet high, with guards and gates between the public roads and the inner sanctum of residential streets. Other kinds of barriers defend something nearly as dear to suburbanites as their own skins, property values. Homeowners are isolated by design from apartments, shops, public squares or anything else that might attract people with less money or of a different race. Deed restrictions and community associations see to it that no one will ever bring down the tone of the neighborhood by turning his living room into a beauty parlor. Success for a development lies in freezing for eternity the social and economic class of the original purchasers.

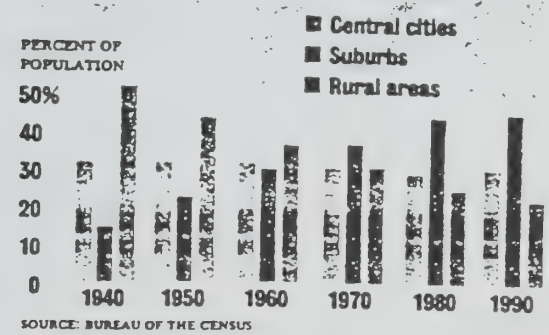
No wonder they're so sterile—sterility is designed into them. Anything else is a threat to the steady appreciation of resale value homeowning Americans take as a basic economic right. You drive down the wide, curving streets of Terravita, in north Scottsdale, whose sales slogan is "The Harmony of Land and Life," and the only signs of "Life" are the saguaro cactuses, which accrue at the rate of about an inch a year. The houses themselves are magnificent monuments to family life: thoughtfully designed, carefully constructed, with master bath suites the size of the Oval Office, but the face they turn to the street is the blank brown plane of a three-car garage



JOHN HUMBLE

Population Distribution

Since 1970, there have been more people in U. S. suburbs than in central cities or rural areas



SOURCE: BUREAU OF THE CENSUS

The Expanding Metropolis

Phoenix has sprawled almost tenfold since 1950



SOURCE: CITY OF PHOENIX PLANNING DEPT.

TO EVEN THINK OF CHANGING THIS CULTURE IS AN ENORmous task. It runs counter to the dominant ideology of free-market economics, which in its reductive fashion holds that developers by definition are building what people want to buy. "There is this strange conceit among architects," says Peter Gordon, a professor of economics at the University of Southern California, "that people ought to live in what they design. If you look at how people really want to live in this country, suburbanization is not the problem, it is the solution." And for that matter, Oscar Newman, a celebrated New York-based urban planner, describes the new urbanism as "a retrogressive sentimentality." American families typically live in a neighborhood for three to five years, forming communities based not on common birthplace but on interest: young singles, families with children, "active adults." Who among us, Newman asks, really wants to re-create the social ambience of an 18th-century village? He thinks the suburbs need *more* exclusivity, gates and barriers where none exist already, recognizing that most of us are going to live among strangers for most of our lives.

On the other hand, people can buy only what's for sale. The housing market is notoriously conservative and conformist, if for no other reason than that most people expect to sell their houses someday. Perhaps more people would choose to live in urban villages if they were exposed to them. "If you ask people if they want density,' they will always say no," says Peter Katz, author of "The New Urbanism." "But if you ask if they want restaurants and schools and other things close to where they live, they say yes." But you couldn't build a village in most places in the country even if you wanted to. Suburban sprawl is built into the zoning codes of most communities and the lending policies of virtually every bank. For new villages to become a reality, they will have to get past a phalanx of planning boards and bank officers, whose first principle is, "Nobody ever lost his job for following the code."

We are, nevertheless, on the verge of a great opportunity. Americans moved to the suburbs for the best of motives—to give their children better schools, cleaner air, a place to ride their bicycles without getting their tires caught in the trolley tracks. Suburbs should teem with life, with humanity in all its diversity (or as much diversity as you can find within one standard deviation of the median family income)—with people walking, running, biking, rocking. But their design has promoted instead the ideals of privacy and exclusivity: the clapboard-sided ranch house, evocative of empty plains; the brick colonial, hinting at descent from the Virginia aristocracy. We can continue the trend of the last 40 years, which Gopal Ahluwalia, director of research for the National Association of Homebuilders, complacently describes as bigger houses, with more amenities, situated farther from the workplace. Or we can go down a different path, which probably will begin with the kind of humble observation a visitor made at a subdivision near Phoenix recently. Like most new developments, this one aimed to conserve water for important uses—namely the golf course—by landscaping the houses with gravel and cactus rather than lawns. As the visitor paced the lot with a puzzled look, it suddenly dawned on him that the desire for an acre of land is not an unvarying constituent of human nature. "Gee," he remarked wonderingly to a saleswoman, "if it's all gravel, you don't really need that much of it, do you?"

With MAGGIE MALONE *and* PATRICK ROGERS *in New York,* NINA ARCHER BIDDLE *in Memphis,* SPENCER REISS *in Miami,* JEANNE GORDON *in Los Angeles,* PAUL KANDELL *in San Francisco and* DANIEL GLICK *in Washington*

15 Ways to Fix the Suburbs

Most of us actually know what we want in a neighborhood–we just don' know how to get it, because developers have been building the wrong thin for 50 years. Here's how to get our communities back on track.



JOHN HUMB

Moving day at Kentlands, the neotraditional suburb in Maryland where houses are close to the street and to each other

FOR DECADES, ANTON NELESSON OF RUTGERS University has been using the tools of science to pursue that most elusive and subjective quality, happiness. When a developer comes into a community, humbly seeking permission to re-create ancient Pompeii on the site of an old Go Kart track, the town's planners commission Nelesson to survey the populace and determine if that's what they'd actually like there. Using photographs, models and questionnaires, Nelesson has surveyed people all over the country, and these are some of the things he's found:

■ "Everybody will call for a green open space in the middle—that's automatic. They will put the major community buildings around the plaza, then group the houses on relatively narrow streets. Ninety-nine percent don't want streets that are more than two lanes wide. At the edges of the village they leave open space

■ "With two working spouses, [smaller lots] make a lot mor sense. You don't want to mow that big lawn."

■ "People have a fundamental, psychological, spiritu response to nature. If you show them recently built mult family housing or office parks, they go negative. A small, tr ditional neighborhood is what people want. They don't know ho to get it."

Well, of course they don't: most of them haven't even seen "small, traditional neighborhood" in years, if ever. But stinctively choose it anyway. The premise of the new urb that people can have the kinds of neighborhoods they say they lik Architects know how to design them, developers can build them banks can make money on them. All it takes is a measure political will to overcome the inertia of 50 years of doing things th wrong way . . . and the application of a few simple rules.

GIVE UP BIG LAWNS

1 ONE USEFUL WAY TO DEFINE A SUBURB is "a place that grows lawns." The great postwar disillusionment began for many Americans when they left the city in search of a simpler life and discovered that watering, fertilizing, weeding and mowing the measliest yard takes more time over a year than the average New Yorker spends looking for parking. And the expanses of front lawn themselves serve no purpose but their owners' vanity—except that most suburban communities require them, on the theory that large setbacks help preserve the bucolic character of a community.

That may have been true in the 1920s, when suburbs were being settled 30 houses at a time. But when highways opened up huge areas of countryside after the war, large-lot zoning had the opposite effect: by spreading population over a larger area, it accelerated sprawl. If zoning boards weren't so fearful of "density," they could require developers to cluster houses and set aside land nearby for open space and recreation. This is also a more efficient way to build a community. Houses that are 100 feet apart, obviously, have 100 feet of unused road and utility lines between them. School buses have that much farther to travel.

And the goal of making a walkable community is defeated when houses are spread out on huge lots. Even the depth of the front yard turns out to make a crucial psychological difference. When houses are set back behind 30 feet of lawn, the streetscape becomes oppressively desolate; your perspective changes so slowly you don't feel you're reaching a destination. Probably no single change would improve the quality of suburban life as much as shrinking the size of lots—and it would actually make houses cheaper.

BRING BACK THE CORNER STORE

2 IN THE SUBURBAN CONDITION, SAYS architect Peter Calthorpe, "is a landscape of absolute segregation ... not just in terms of income, age or ethnicity, but simple functional uses." This is so obvious that most people no longer see the absurdity of making a five-mile round trip for a loaf of bread. That is, as long as they have a car; for anyone not so blessed—children, the elderly or handicapped, people who can't afford a car for every member of the family—it's nuts.

Again, this is a function of good intentions undone by the explosion of suburbia. What worked in a compact neighborhood in a city—a dry cleaner, a drugstore, a corner grocery—became grotesque when blown up a hundredfold and applied to whole counties. Shopping strips stretched for dozens of miles along the highways, while the curving streets of suburbia wormed their way ever deeper into the countryside.

Obviously, malls and supermarkets, with their vast selections and economies of scale, will never be supplanted by neighborhood shopping streets and corner groceries. But it still should be possible to provide some of the necessities of life within walking distance of many people. Then you could send your kid out for that bread—and a newspaper while he's at it.



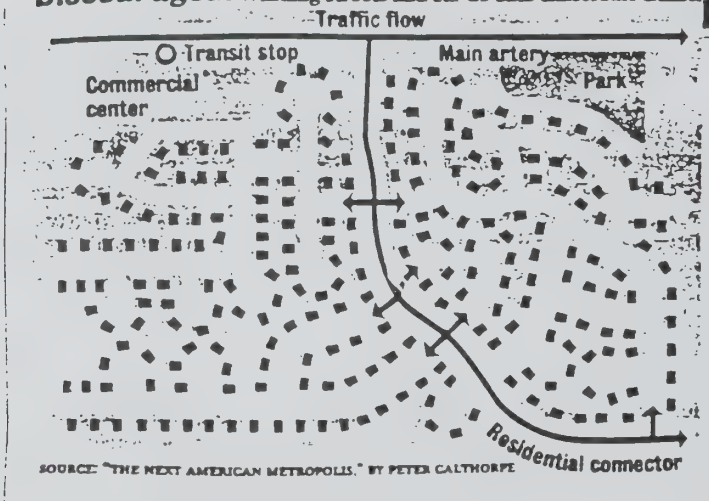
JOHN HUMBLE

This wide street in Temecula, Calif., is fine for cars but not for kids and other pedestrians

MAKE THE STREETS SKINNY

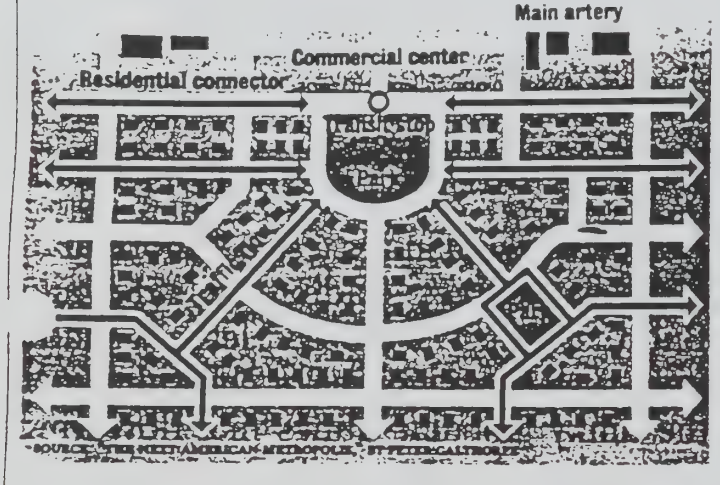
3 Modern subdivisions are designed to be driven, not walked. Even little-used streets are 36 feet or 40 feet wide, with big sweeping curves at the corners. It's great for cars: traffic barely needs to slow down. But for those on foot, the distance is daunting. Narrow streets—as little as 26 feet wide—and tight, right-angled corners are a lot easier for walkers, and probably safer as well, because they force drivers to slow down. One objection: fire departments worry about getting trucks through. But that hasn't been a big problem in old nabes in cities like New York and Boston.

Discouraged: Winding streets and cul-de-sacs exacerbate traffic.



SOURCE: "THE NEXT AMERICAN METROPOLIS," BY PETER CALTHORPE

Preferred: Streets converge on transit and commercial center.



SOURCE: "THE NEXT AMERICAN METROPOLIS," BY PETER CALTHORPE

DROP THE CUL-DE-SAC

4 The cul-de-sac, a fancy term for "dead end," has emerged as the street plan of choice for modern suburbs. Its great advantage—the elimination of through traffic—is also its weakness, because it compels everyone in a given subdivision to use the same few roads, often at the same times. Anyone attempting to travel on foot or by bicycle will eventually wind up on the shoulder of a busy highway—and probably give up. But streets don't have to be like that: they can follow predictable utes and interconnect. This gives motorists a choice of routes, so they don't all pile up every morning waiting to make a left turn at the same intersection.

DRAW BOUNDARIES

5 IN AN ABSOLUTE SENSE, THERE IS NO REAL SHORTAGE OF land in the United States; if the entire population lived on an acre of land per household, it would occupy less than 5 percent of the contiguous 48 states (plus all of Canada and Mexico for parking). But in the regions where Americans actually want to live, they are swarming into the countryside, covering whole counties with "edge cities" flung outward from the beltways as if by centrifugal force. New York City's suburbs reach across the whole state of New Jersey into eastern Pennsylvania, nearly 100 miles from Times Square. To new-urbanist theoreticians, this is the disastrous result of shortsighted government policies, such as the bias in the federal mortgage-guarantee program toward detached houses on large plots of land. To free-market economists, it represents the sum of millions of choices by informed individuals who have decided that, on balance, getting up before dawn in Bucks County beats a full night's sleep in Brooklyn.

But sprawl is not a necessary component of affluence. In Europe and Japan, governments have proclaimed "urban-growth boundaries," beyond which development is more or less prohibited. Even in a democratic country such as Holland, a businessman seeking to live on a farm and drive into the city to work would have to request permission from the government—and he might not get it. Try telling that to Lee Iacocca. Contrary to popular American political theory, these regulations haven't noticeably affected the prosperity of Western Europe—nor of the one major American city that has instituted its own urban-growth boundary: Portland, Ore.

In Oregon, naturally, no one would prevent the hypothetical businessman from living on a farm; he just couldn't sell it off for a subdivision when he retired to Palm Springs. More than 20 years ago, planners for the Portland metropolitan area drew a line around 325 square miles—covering 24 municipalities and parts of three counties—and designated it to receive virtually all population growth. Along the way they have reduced the average lot size for detached houses from 13,000 square feet to an average of 8,500 square feet—roughly the difference between putting three and five units on an acre. The proposed future goal is an even mingier 6,600 square feet. Between now and the year 2040, Portland's planners expect the population to grow some 77 percent, but they are committed to an increase of residential land use of only 6 percent. Instead of planting more "edge cities" at the arbitrary points where freeways intersect, Portland has concentrated job growth in its downtown. The urban-growth boundary has been so successful that even a conservative property-rights group, Oregonians in Action, endorses the concept (although it argues with some details). Imagine how Los Angeles would look today if it had done this 20 years ago.



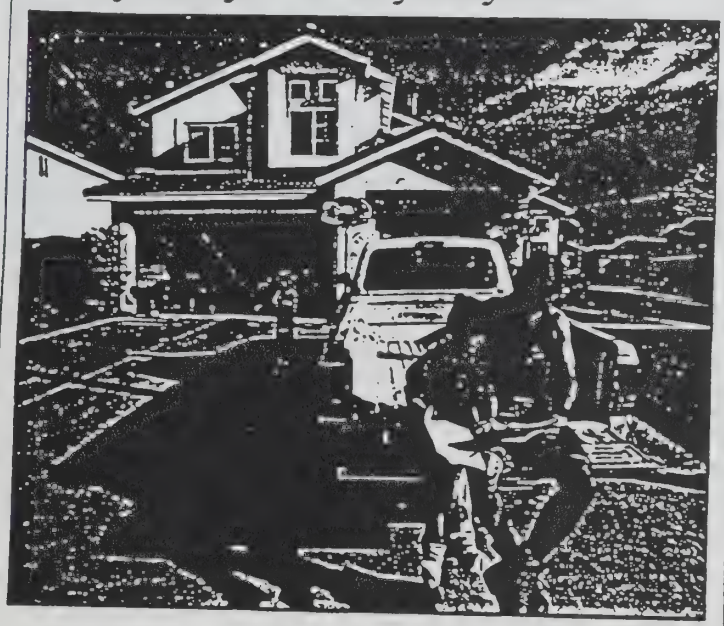
JAMES D. WILSON—NEWSWEEK

Leading new urbanist

Nothing irks Peter Calthorpe more than "naysayers who say that Americans don't want to live in high-density cities—they want suburbs, as though there were only two choices!" According to the San Francisco architect, "The answer is to understand there are a huge number of people with different lifestyles. There are different densities in new urbanism, some low, some high. Neighborhoods that have diversity—cafes, recreation, casual social encounters—will be increasingly important. Suburbs aren't just about bedrooms anymore."

HIDE THE GARAGE

6 Most suburban houses give the appearance that they are first of all places to park, turning to the world the blank and desolate face of a garage door. Neighborhoods look more pleasant when garages are put behind the houses, accessible by side yards or by alleys.



JOHN HUMBLE

Multicar garages turn an unwelcoming face to the street

MIX HOUSING TYPES

7 OF ALL THE WAYS TO IMPROVE THE SOCIAL AND PHYSICAL organization of the suburbs, none would be as subversive as breaking the monopoly of single-family detached homes: that endless alternation of "Crestwoods" and "Auroras" intended to foster the illusion of preference in buyers' choosing between four bedrooms and three bedrooms plus a den. Homogeneity is the very essence of the suburbs. Attached houses, rental units, shops or businesses—anything that might attract traffic and its attendant evil, a decline in property values—are banned.

This is a fairly new phenomenon in human history. For most of the last 9,000 years, most people inhabited villages, where by definition nothing was very far from anything else. As late as the 1940s, for that matter, Memphis, Tenn., developer Henry Turley grew up in the kind of haphazard city neighborhood that is the despair of sensible planners: a jumble of stores, shacks, flats, walk-ups and decaying mansions, all suffused with the vivid street life neighbors made for themselves in the era before air conditioning lured them indoors. It is, of course, beyond the power of zoning to bring back those days, even if we wanted them back, but it may be possible to recapture some of the energy and spirit that characterized American civic life before television clamped its monopoly on public discourse and entertainment. So in 1987, when Turley bought a 135-acre vacant plot on an island in the Mississippi five minutes from downtown Memphis, he embarked on a radically different kind of development, which began not by asking "What will the county let me build?" or "What will the banks finance?" but "What kind of place do people want to live in?"

The result was Harbor Town, intended to be "a slice of the world—the more complete and varied the better." There are houses ranging in price from $114,000 to $425,000, which contrasts with a typical subdivision in Phoenix, Ariz., for example, where the seven basic models run the gamut from $271,990 to $316,990. There are town houses and apartments, and shops being planned. Developers had tried mixing housing types in the "planned communities" of the 1970s, but in those each use was isolated in its own thousand-acre quadrant; in Harbor Town they are all within a few blocks of each other. Turley seems to have decreed that instead of golf, the leading recreational activity would be chatting with neighbors while watching the sun set over the river, so he set the houses close together and built cozy village squares. The houses themselves are an eye-popping collection of styles, including Charlestown provincial, Cape Cod and Bauhaus modern, but they have an underlying unity based on materials (mostly clapboard or wood siding) and the ubiquitous new-urbanist amenity, porches. Turley expects to make money on the project, when it's completed in 1997, but he also has a higher aim. "Democracy assumes—*demands*—that we know, understand and respect our fellow citizens," he says. "How can we appreciate them if we never see them?"

PLANT TREES CURBSIDE

8 Nothing humanizes a street more than a row of trees shading the sidewalk. But they must be broad-leafed shade trees such as sycamores or chestnuts, not the dinky globular things like flowering pears that developers favor in parking lots. And they should be planted out at the curbline, where they will grow out to form a canopy over the roadway. Why don't more places have such an obvious amenity already? Because traffic engineers worry that people might drive into them.



DIANE COOK/LEN JENSHEL

Strolling under a canopy of spring blossoms

PUT NEW LIFE INTO OLD MALLS

9 THEY'VE GOT FOUNTAINS, HANGING ferns and ice rinks, and if you stay in one long enough you may eventually hear "Wichita Lineman" rescored for 140 violins, but most shopping malls are, essentially, just vast sheds that consumers trudge through until, with nothing left to spend, they are spit out into the parking lot. No wonder people are so quick to desert them when a bigger one opens up down the road. Ghost malls are no longer a rare sight in America. Phoenix has at least two, including one right across the street from several of its largest office buildings. But the land they occupy can, with some ingenuity and a lot of money, become the nucleus of a real neighborhood, an architectural adornment rather than a hulking blight.

The process is happening first with strip shopping centers, which are usually older than enclosed malls and less complex architecturally. The first step is to transcend the definition of a "shopping center" as a grouping of unrelated stores in the middle of a parking lot. That pretty much described the Seabury Shopping Center, a dreary 1950s-era strip mall on a busy highway in Cape Cod, Mass., about 70 miles from Boston. A decade ago, the owners decided to redevelop it on a radically different scheme, modeled on a New England town. New streets were laid out in what had been the parking lot; new shops were built in the neglected area behind the existing ones. A 25-year development plan was drawn up, envisioning a substantial community; offices, a library, a church and a senior-citizens' home have already been built.

Parking was redistributed along the curbs of the new internal streets. This makes for some congestion and inefficiency, but lessens the frustration of trudging down long aisles of parked cars toward a distant mall entrance. Developer Douglas Storrs says that shoppers find the strength to walk as much as half a mile down the sidewalks of what is now called Mashpee Commons, passing shop windows, benches and planters. The same people reach the threshold of exasperation when they have to park more than 400 feet from the door to an ordinary mall.

There are other examples, including Mizner Park, in Boca Raton, Fla., where a failing shopping center was replaced with a 2[illegible]re mixed-use development organized a[illegible]id a new public park. To be sure, not all developers will be this ambitious with their properties. But a first step, hiding the ugly collection of Dumpsters and loading docks on the backsides of strip malls could eliminate a lot of suburban blight.



DIANE COOK/LEN JENSHEL

In Portland, Ore., these commuters are choosing to ride the rails

PLAN FOR MASS TRANSIT

10 Is there any way to get Americans out of their cars and into buses and trains? In Los Angeles, not even an earthquake sufficed; only about 2 percent of drivers switched to mass transit after their freeways fell down last year, and most of them went right back to driving as soon as the roads were patched up.

The problem is that transit seems to need a critical mass to work, and many metropolitan areas (Los Angeles among them) are just too spread out. Many commuters seem to think that if you have to drive to the train station anyway, you might as well just keep going to the office.

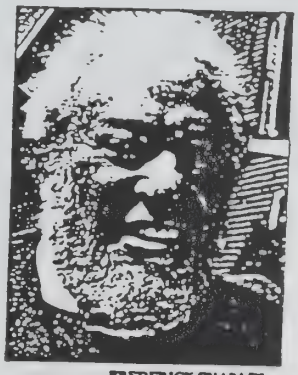
Hence Calthorpe's idea for the "pedestrian pocket": a relatively dense settlement within a quarter-mile walk of a transit stop. In Portland, Ore., they're building the transit line *first*—putting stops literally in the middle of empty fields—in the expectation that the development will follow.

LINK WORK TO HOME

11 SUBURBS ARE NO LONGER JUST BEDROOM communities; the dispersal of employment out of the central cities has been going on for a generation. (As the writer William H. Whyte demonstrated two decades ago, big corporations leaving the city tend to relocate within a few miles of the chief executive's house.) But the result—the oxymoronic "office parks" consisting of indistinguishable glass cubes amid a token fuzz of grass and a giant parking lot—is just a higher class of sprawl than the gas stations and fried-chicken places that would have been built there instead.

If companies don't want to be downtown, they should at least attempt to integrate their offices—or factories, for that matter—into communities. Nobody wants to live next to a steel mill, naturally. But in Laguna West, outside Sacramento, people are happy to live within a quarter-mile of an Apple Computer plant, which provides 1,200 white-collar and assembly-line jobs. Apple agreed to locate there after the community was already planned; developer Phil Angelides says the company liked the idea that executives and workers could afford to live in the same community. Playa Vista, a new-urbanist community being planned for Los Angeles, has been mentioned as a possible home for the DreamWorks SKG multimedia company. It could be an updated—and very upscale—version of the company town, which in this case will comprise 13,000 houses and apartments, shops, a park, promenades and jogging trails along the last tidal marsh in the city.

Calthorpe believes that more businesses will move to new-urbanist projects as they grow disillusioned with the traffic and isolation of their office parks. "The idea is not necessarily to live in the same development you work in," he says; "there are a lot of criteria for where you choose your house. But if people can walk to a park, to midday shopping, restaurants and day care, it is better for the people working there."



FREDERICK CHARLES

A different approach

Mixing income levels in a neighborhood is a new-urbanist credo, and nobody does that better than planner Oscar Newman. His scattered-site low-income housing for Yonkers, N.Y., is a model of its kind. But Newman is no fan of the new urbanists: instead of saying, "This is what's wrong [with suburbs]," they should ask, "Why do people feel it's worth it to live there?"

SHRINK PARKING LOTS

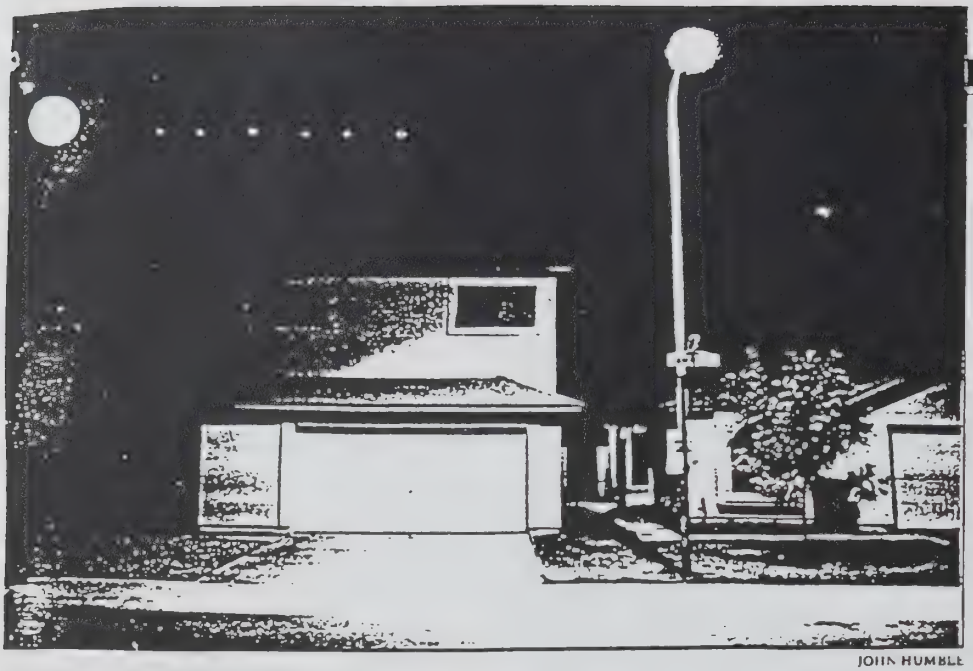
13 PARKING IS ONE OF SUBURBIA'S HIGHEST achievements. Only in the United States does the humblest copy-shop or pizzeria boast as much space for cars as the average city hall. But it is also a curse; the vast acreage given over to asphalt is useless for any other purpose, and goes unused more than half the time anyway. Most planners regard parking as a prerequisite for economic growth, like water. But downtown Portland, Ore., which strictly regulates parking, has been thriving with essentially the same space for cars as it had 20 years ago. Developers often build more parking than they actually need; a half-empty lot is presumed to reassure prospective tenants that they'll never run out of space for their cars. Yet a bank, a movie theater and a church are all full at different times. One simple improvement towns can make is to look for ways to share and pool parking space among different users.

The ideal—although expensive—solution to the parking problem is for cars to vanish underground when they get where they're going. A shopping center surrounded by acres of striped asphalt, whether it's empty or full, might as well put up a moat against pedestrians. Large parking lots should be situated behind buildings whenever possible—something most suburban zoning codes don't currently allow—and divided by streets, sidewalks or structures into smaller segments of around three acres or less. On-street parking in residential neighborhoods is controversial. Some planners favor it, because it creates a "buffer" between pedestrians and traffic, but others consider it a danger to children running out between the cars.

MAKE A TOWN CENTER

12 Every town needs a center: a plaza, square or green that is a geographical reference point and a focus of civic life—even if that just means a place to push a stroller or throw a Frisbee. Shopping malls are a poor substitute; the area they serve is too diffuse, and in any case their civic function is incidental to their real purpose—making money. Developers often provide some parkland in their subdivisions, but it's usually on leftover parcels that wouldn't be built on anyway, by the edge of the highway or adjoining another subdivision.





JOHN HUMBLE

A garish street lamp in Maryvale, a neighborhood in Phoenix

TURN DOWN THE LIGHTS

14 It is probably true that illuminating a suburban street to the level of the infield at Comiskey Park reduces accidents, especially for people who leave their regular glasses at home and have to drive in sunglasses. For everyone else, though, towering, garish sodium-vapor street lamps intrude on the peacefulness of the night with the insistence of a stuck horn. Where safety is not a big issue, why not use several smaller lamps that cast a gentler glow and let you see the stars?

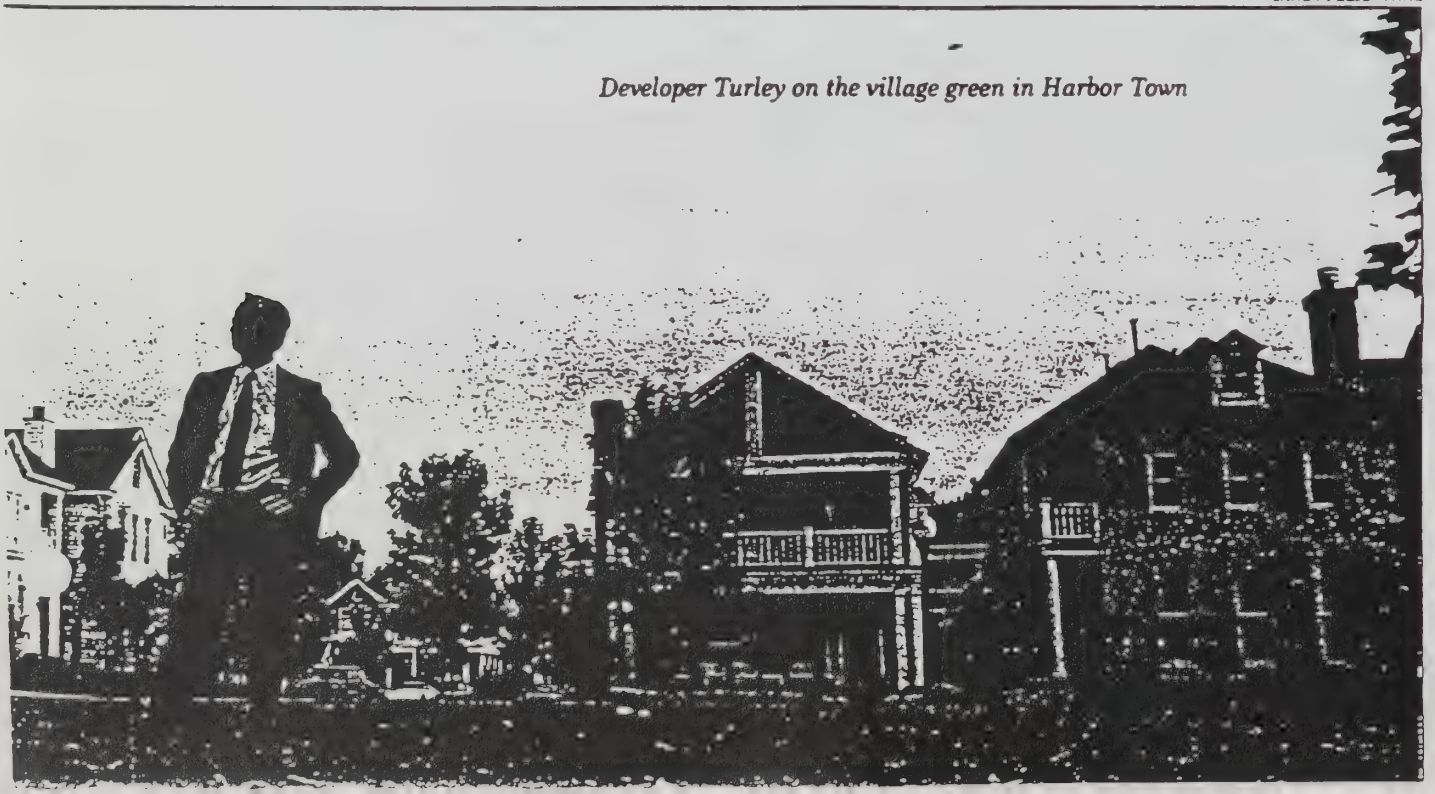
THINK GREEN

15 OUT BEYOND THE BELTWAY, where the roads are narrow and blacktop, past the point at which the dwindling traffic is too sparse to warrant plucking by even the mingiest motor court, there's a beautiful land. There are pale green corn plants poking through the brown soil, lakes glimpsed through trees, cholla cactus among the tumbled red rocks. It's not wilderness, but countryside, the unfinished canvas of America. It tells us where we are—in Illinois, Maine or Texas—and it locates us in time: summer, fall, winter, spring. There's nothing to buy there, nowhere to park; it doesn't lure us with golden arches or free coffee mugs with a fill-up. It's just there.

And by the same token, it isn't making anyone rich, yet. There is a gradient of value that runs from the city to the country, and it keeps moving outward; pick any spot and it's just a matter of time before it makes the magical transition from "countryside" to "real estate." The process seems inevitable, but it isn't, really. It's the product of concrete decisions made in an age when roads were still viewed as the harbingers of civilization rather than discount muffler outlets. And as surely as our society made those decisions, it can change them, before lawn meets lawn and asphalt meets asphalt, covering the land in a seamless carpet of sprawl.

SANDY FELSENTHAL

Developer Turley on the village green in Harbor Town



TERMS OF REFERENCE - DOWNTOWN PARTNERSHIP

A. MANDATE

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This will be achieved through the co-ordination, development and establishment of a strategic vision and action plan for the downtown; identification and viable initiatives in the downtown; undertake, broker, promote and support public and private actions which implement the initiatives established; and liaise in activities of all levels of government, special interest groups and agencies, private interests and the public.

B. GOALS AND OBJECTIVES

1. Implement marketing programs which address the entire downtown area. Most programs have focused on individual buildings, areas or B.I.A.'s. The Partnership will allow for the development and implementation of a comprehensive marketing program for the downtown as a whole. Specific goals include:

    - the creation of advertisements and the communication of awareness of downtown events and activities at Copps Coliseum, Hamilton Place, duMaurier Theatre, Trade and Convention Centre, etc;

    - the development of a cluster marketing program and recruitment of retail \ boutique retailers, dining \ cafe establishments in the downtown core;

    - strengthening and building on existing linkages between the downtown business interests and government in the downtown;

    - the development and promotion of a clean, safe and friendly downtown;

    - a safe, accessible and "no charge \ low-cost" parking program for shopping patrons;

    - the promotion of new and existing service oriented businesses in the downtown;

- the preparation of a long term vision for the downtown community to create a broad, understandable framework with which individual's initiative can be assessed.

- the commitment to changing public perception of the downtown through increased downtown tourism activities and celebration programs.

2. Assist and encourage investment and development in the downtown through actions such as:

   - generation of public and private interests in developing and relocation projects in the downtown;

   - promotion of the downtown to those with investment interests;

   - creation, encourage and facilitate public \ private venture development initiatives;

   - creation of a clean, safe and attractive living environment;

   - encourage new residential development in the downtown; covering a wider range of housing types and income group;

   - attracting new and unique businesses into the downtown.

3. Generate new and expand existing events in the downtown with the aim of maintaining and increasing tourism, conventions and trip destinations into the downtown through actions including:

   - community economic development initiatives;

   - creation and promotion of special theme events;

   - co-ordinating the activities of special event programs of the BIA's and Jackson Square;

   - raising public awareness of downtown business and services.

4. Lobbying for special legislation and government responses to problems identified in the downtown. The Partnership can act as a "voice" for downtown by acting on behalf of all interest groups within the downtown, rather than leaving every group to address their own concerns.

5. Investigate means of financing initiatives in the downtown core through the public and private sectors, including micro-business and single entrepreneurship efforts in cooperation with the YMCA, BAC and others.

D. MEMBERSHIP

The Board would be comprised of members of:

a) the Chairman of the task forces (4)
b) Private Sector members (7)
c) Mayor and Regional Chairman as ex-officios, non-voting observers.

Total: 11

E. REPORTING STRUCTURE

The Board would meet as required to review proposals from task forces and other stakeholders, and to provide direction and monitoring of initiatives. Reporting obligations would be facilitated through the Economic Development and Planning Committee of the Region and the Finance and Administrative Committee of the City of Hamilton.

F. INITIATIVES SUGGESTED IN "STRONG MEDICINE"

Marketing Task Force

* attract key retailers
* mass market Art Gallery
* make Main Street an institutional address
* relocate Regional offices downtown
* student bus passes
* new downtown head offices
* improve downtown appearance, including expanded floral plantings and streetscaping
* attract downtown conventions and international business meetings
* develop a business "prospective" to highlighted Downtown environment opportunities.

Residential Development Task Force

* create plans for key buildings
* Hamilton Halton Home Builders Initiatives
* City Housing proposals for key properties
* plans for reviving vacant buildings
* implement Hamilton Downtown Ideas Charrette
* consider the development of neo-traditional "new" neighbourhoods adjacent to the Downtown.

Business Development \ Financial Task Force

* improve fibre optics
* property tax reform and exemptions
* "one-stop shoppping" for development issues
* meet with property owners to address issues, including "block by block" property owners' meeting
* address parking issues
* initiate strategic actions for attracting downtown investment for the ongoing operation of the Partnership
* identify and secure capital and operational funding
* with the assistance of municipal officials, engage in a targeted, aggressive recruitment effort for key retail and commercial tenants\firms.

Strategic Planning Task Force

* develop "Strong Medicine" recommendation, according to priority and opportunities
* address transportation initiatives
* develop downtown secondary plan
* work on downtown charrette recommendations
* undertake surveys, analysis, and develop future vision, directions and requirements
* comprehensive strategic document for the long term vision of the downtown community to create a broad understandable framework with which initiatives can be assessed.

NOTE: It is recognized that the task forces are not exclusive but mutually beneficial and complementary to the goals and objectives.

BOARD NOMINEES - SECTORAL

Proposed Board Nominees

* Hospitality Association
* Metro Hamilton Real Estate Board
* Financial Sector
* Arts \ Cultural Sector
* Manufacturing Sector
* Downtown Business Community (2 B.I.A.'s)
* Hamilton Housing Corporation
* Construction Sector
* Hamilton Parking Authority
* Hamilton & District Chamber of Commerce
* Transportation Sector

* Mayor of Hamilton and Regional chairman (ex-officio)

OPERATIONAL BUDGET

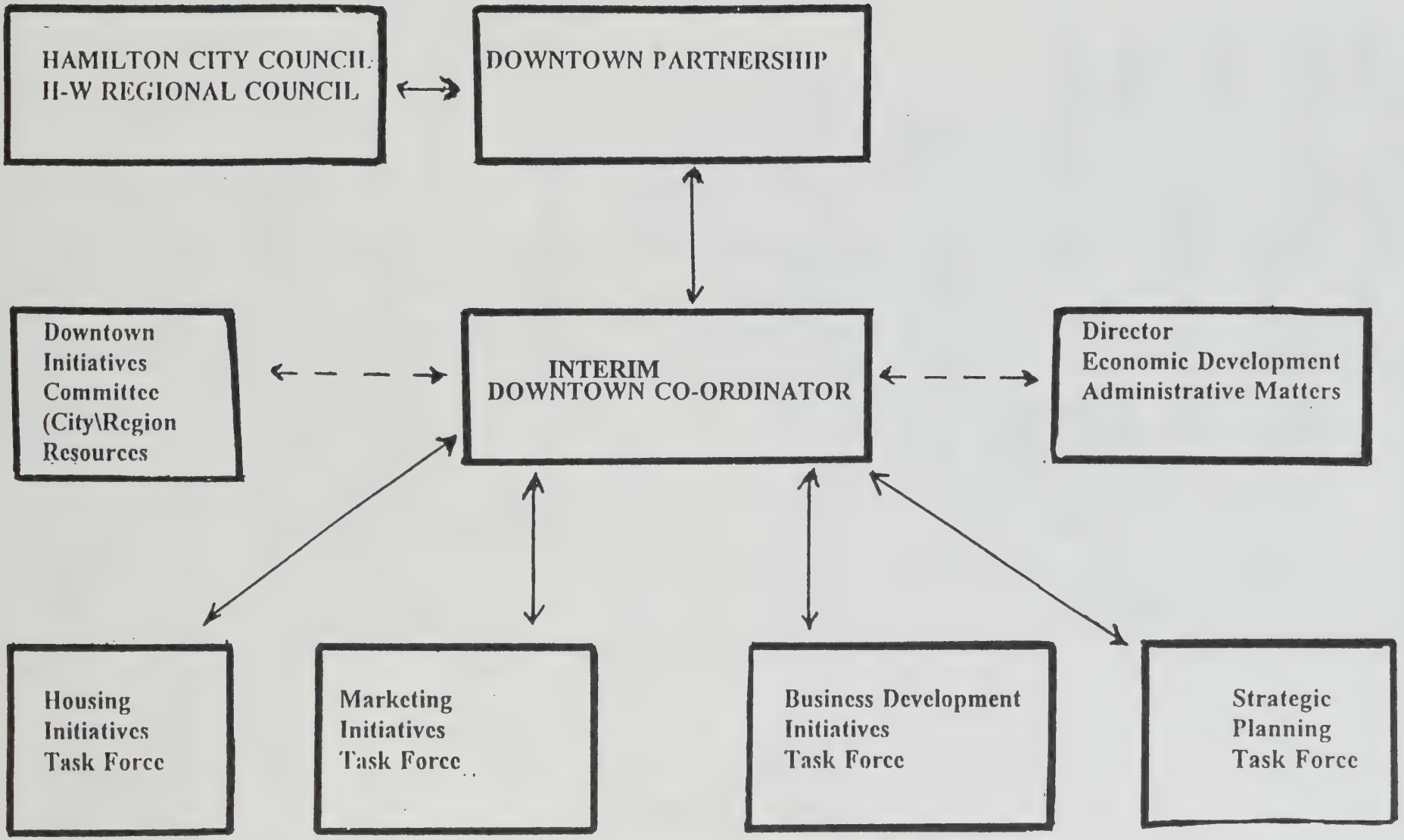
Staff

Administration \ Research	$ 25,000
Consultants	20,000
Marketing \ Promotion	75,000
Computers	6,000
Office Supplies	4,000
Proposal Preparation & Presentation	50,000
TOTAL	**$ 180,000**

	Region	$60,000	)
	City	$60,000	)
**	Business & Other Governments	$60,000	)
		$180,000	

** Private sector participation may entail in-kind services and\or products.

ORGANIZATIONAL CHART



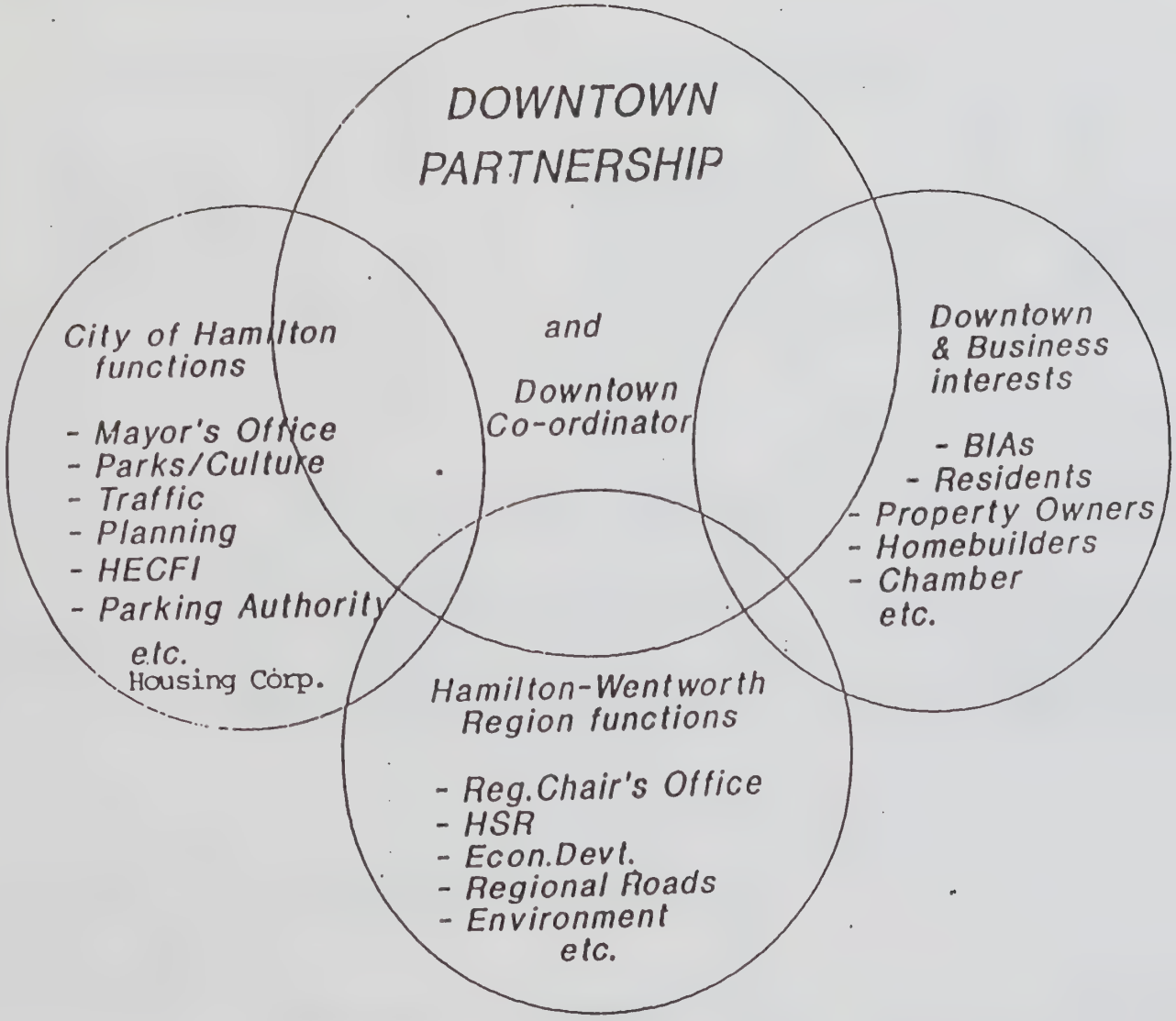
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FUNCTIONAL CHART



CITY OF HAMILTON

- RECOMMENDATION -

4. (a.)

DATE: 1997 January 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: The Downtown Hamilton Partnership

RECOMMENDATION:

(a) That in view of the decision to proceed with the Downtown Partnership Board; and,

(b) That in view of the municipal financial involvement in Downtown Revitalization and the Partnership with the Hamilton-Halton Homebuilders Association; and,

(c) That the Chairman of the Finance and Administration Committee be appointed on an interim basis as Chairman of the Downtown Partnership Board to facilitate identification of the membership of the Partnership and of the various Task Forces; and,

(d) That this resolution be referred to the Region of Hamilton-Wentworth for adoption.

J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At its meeting on December 4, 1996 the Founding Board met and approved the following:

(a) That the document "Strong Medicine"... A Prescription for the Heart of Hamilton-Wentworth" be referred to City of Hamilton and Regional Council as a guideline for discussion on Downtown Revitalization;

(b) (i) That the Downtown Partnership be established by the City of Hamilton and Region of Hamilton-Wentworth as the means of implementing the strategy; and,

(ii) That the attached Terms of Reference, for the Downtown Partnership be approved; and,

(c) That the area for downtown revitalization, defined as the Downtown Core, from Victoria Avenue to Queen Street and from Cannon Street to Hunter Street be accepted; and,

(d) That the first year operational budget for the Downtown Partnership be included in the 1997 Budget discussions of the City of Hamilton and the Region of Hamilton-Wentworth; and,

(e) That this entity be established as "**The Downtown Hamilton Partnership**" pursuant to the provisions of the Municipal Act or other appropriate legislation, in a form satisfactory to the Commissioners of Legal Services for the City of Hamilton and Region of Hamilton-Wentworth, including the possibility of sponsoring a Community Economic Development Corporation to facilitate venture capital assistance or other community development initiatives; and,

(f) That Mark Mascarenhas be appointed interim Co-ordinator.

DISCUSSION:

Attached are the Terms of Reference for the Downtown Partnership including specifically suggestions for the four Task Forces and the suggested areas to be developed. Also attached are the sectors of the Community that should be considered in the membership of these Task Forces and a proposed operating budget.

To initiate the Downtown Partnership, in addition to an interim Coordinator (Mr. Mark Mascarenhas), it will be necessary to appoint an interim Chairman to get candidates from the various sectors to apply and to get the Task forces up and operating.

Without an interim Chairman, this initiative could easily never get established to accomplish the synergy it was intended to create. Equally as relevant is that the City of Hamilton has financial involvement through the following:

1. Downtown revitalization
2. Partnership with the Hamilton-Halton Homebuilders Association
3. The Municipal Non-Profit Housing Authority

CONCLUSION:

It is very important that a Chairman be appointed on an interim basis to facilitate identification of the membership of the Downtown Partnership and of the various Task Forces. Recognizing the City's financial involvement in these matters, the most logical candidate is the Chairman of the Finance and Administration Committee.

JGP:dd
Attach.

c.c. Alderman Bob Charters, Chairman
Finance & Administration Committee

SCHEDULE A

TERMS OF REFERENCE - DOWNTOWN PARTNERSHIP

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* Mayor of Hamilton and Regional chairman (ex-officio)

....\11 (A)

OPERATIONAL BUDGET

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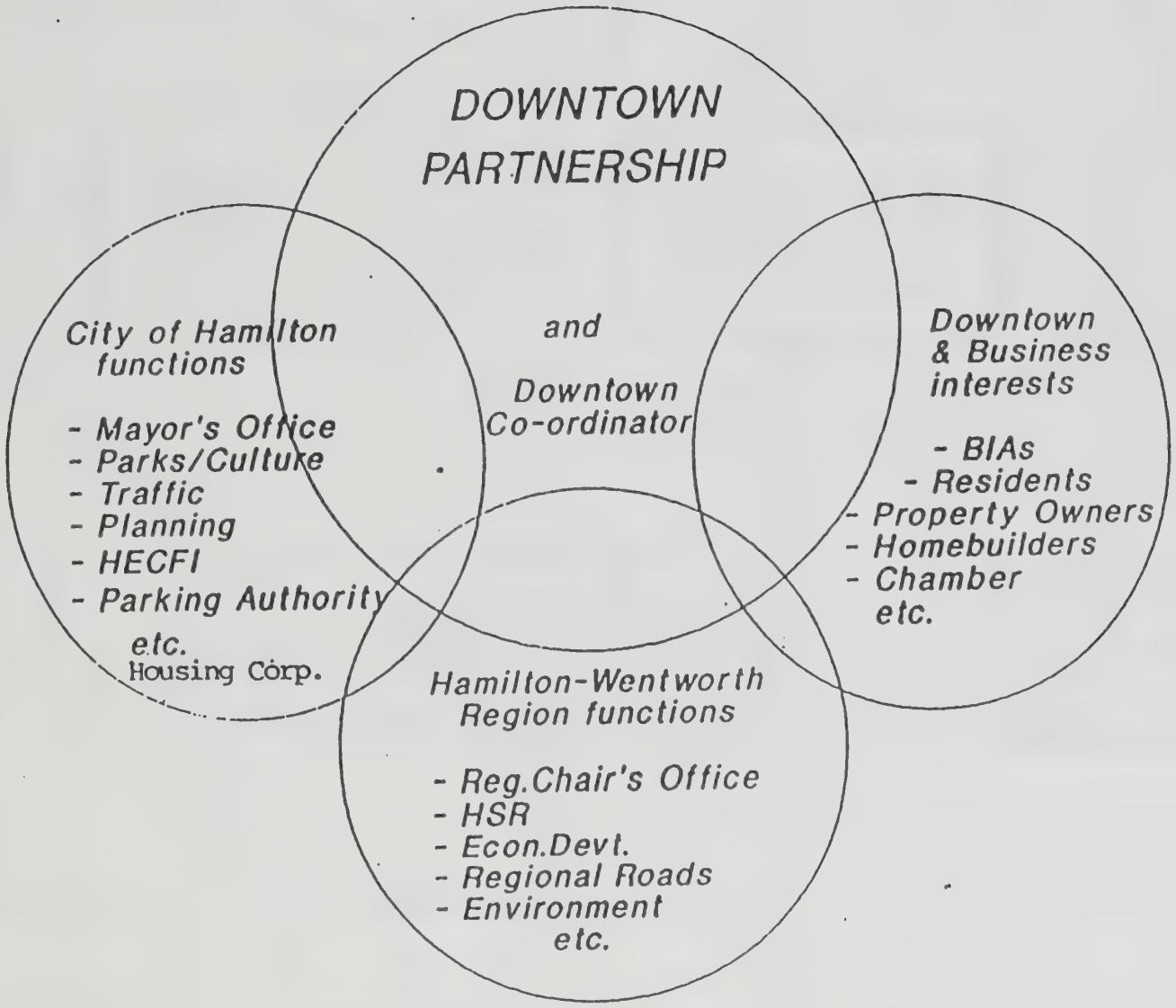
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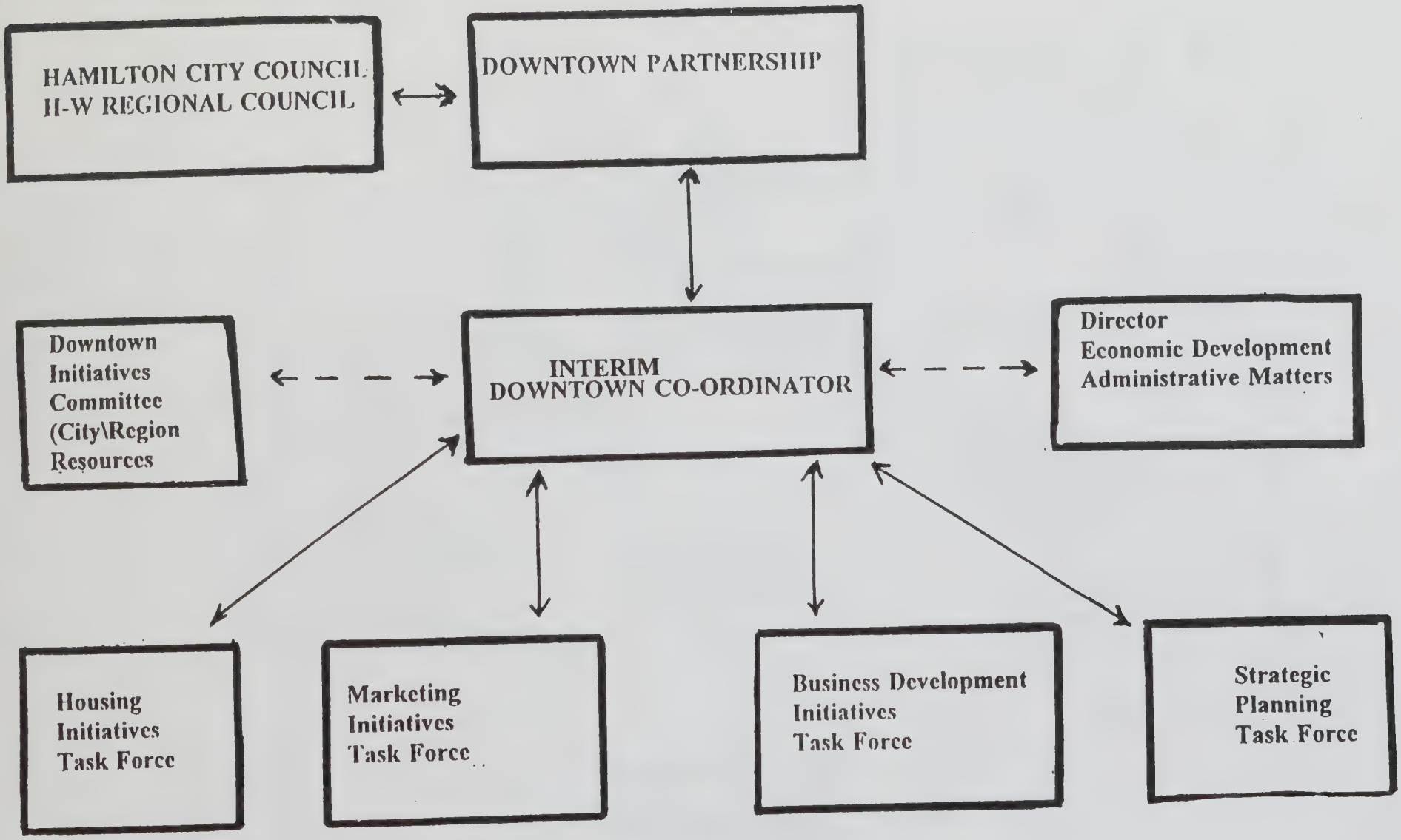
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ORGANIZATIONAL CHART



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* The Mayor and Regional Chairman as ex-officio, non-voting observers

4. (b)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: Appointment of Acting Fire Chief

RECOMMENDATION:

That effective January 01, 1997 Deputy Chief Gil Desjarlais be appointed Acting Fire Chief until the appointment of the City's new Fire Chief.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be an additional cost to upgrade the Deputy Fire Chief's salary from the top step of salary level "E" $85,343 to an appropriate step in the Fire Chief's salary level "C" $92,117. On an annualized basis there will be an increase of $6,774.

This annualized increase will be prorated by the week for the period of time that the Deputy Fire Chief acts as the Fire Chief.

BACKGROUND:

Fire Chief G. Smith retired effective December 31, 1996. To maintain coordination and control of the Fire Department, it is the City's practice to temporarily promote the Deputy Fire Chief to be Acting Fire Chief until a new Fire Chief is promoted.

Previously, another employee from the ranks of the Firefighters was promoted to be the Acting Deputy Fire Chief. In this case, it is not proposed to promote an Acting Deputy Fire Chief.

However, in the event that something happens to incapacitate Mr. Desjarlais while acting as the Fire Chief to prevent him from doing so, arrangements will be made with the Firefighters Union so that one employee from their ranks would be available to fill the Fire Chief's role in an acting capacity.

JGP/dd
cc G. Desjarlais, Deputy Fire Chief

4. (c)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: Reclassifications
- Building Commissioner
- General Manager of Non-Profit Housing

RECOMMENDATION:

(a) That the Building Commissioner's position be reclassified from its present salary level "D" to salary level "B"; and,

(b) That the General Manager of Non-Profit Housing's position be reclassified from its present salary level "J" to salary level "H".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

A. Building Commissioner's position

Currently the remuneration for this position at salary level "D" is from $79,383 to $93,472 with 5 steps. Salary level "B" is from $95,367 to $112,301 with 5 steps. Therefore, the potential increase at the 5th step and the top level would be $18,829.

B. General Manager Non-Profit Housing

Currently the remuneration for this position at salary level "J" is from $53,780 to $63,398 with 5 steps. Salary level "H" is from $58,386 to $68,816 with 5 steps. Therefore, the potential increase at the 5th step and the top level would be $5,418.

C. Effective December 31, 1994, the position of Co-ordinator Housing Loans with a salary of $66,242 plus benefits was eliminated with the merger of Non-Profit Housing and the Building Department.

BACKGROUND:

In March 1994, City Council approved:

(a) That the position of Co-ordinator Housing Loans be deleted effective December 31, 1994 and the new organizational structure for the Building Department, as shown on Appendix "E" be approved.

(b) That the position of Housing Loans Clerk be eliminated and a new position of Customer Service Representative/Housing Loans Officer be created and the new organizational structure for the Housing and Loans Division, as shown on Appendix "F" be approved.

(c) That the newly established positions of General Manager of Housing and Loans and Customer Service Rep/Housing Loan Officer and the existing positions of Building Commissioner and Housing Co-ordinator be referred to the Commissioner of Human Resources for classification.

(d) That there be no negative effect on the Municipal Non-Profit (Hamilton) Housing Corporation, and that there be no effect on the relationship between the General Manager of Housing and the Municipal Non-Profit (Hamilton) Housing Corporation Board of Directors.

In November 1995, City Council approved:

(a) That the following two positions be transferred from the Property Department to the Culture and Recreation Department effective Monday, 1995 November 20:

(i) 1 Senior Project Manager
(ii) 1 Administrative Assistant

(b) That the following three positions be transferred from the Property Department to the Building Department effective Monday, 1995 November 20:

(i) 1 Manager
(ii) 1 Senior Project Manager
(iii) 1 Architectural Support Technician

(c) That all 5 of these positions being relocated have their present responsibilities merged with the additional responsibilities in their new portfolios and that new job descriptions be creased and evaluated by 1996 January 31; and,

(e) That the responsibility for the design and implementation of Barrier Free Improvements to the balance of the Corporation buildings be the responsibility of the staff resident in the Building Department; and,

DISCUSSION:

Since March, 1994 the Building Commissioner has assumed the responsibility along with the General Manager for administration and direction of Non-Profit Housing Authority. This includes the administration and management of the new facilities and the existing facilities and the continuing management and administration of the Provincial Housing Loans Programs.

Equally as important is the management of the staff to ensure that they are purposefully employed during the cycles of the Non-Profit Housing Projects by utilizing them in the other operations in the Building Department.

With the elimination of the Architect's Division in the Property Department, although some of the Project Managers were assigned to the Director of Culture and Recreation, the majority were assigned to the Building Department. Along with them was also the reassignment for Corporate Project Management of the Corporation's buildings, facility projects and modifications, renovations or alterations to the City's facilities.

Lastly, the Building Commissioner has also assumed a more prominent role by being one of the Managers on the City's Corporate Management Team. Accordingly, the Building Commissioner is more integrally involved with setting and prioritizing the Corporation's Current and Capital Budgets. As well, the Building Commissioner is also principally involved with the Corporation's strategic directions, restructuring and policies.

JGP:dd

c.c. L. King, Building Commissioner
M. Mascarenhas, General Manager, Non Profit Housing

CITY OF HAMILTON

- RECOMMENDATION -

5. (a.)

DATE: 1997 January 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Sale of Tax Arrears Properties - November 26, 1996

RECOMMENDATION:

1) That, in accordance with the policy approved by City Council on October 29, 1996 for properties vested with the City on tax sale, the tax arrears applicable to the following properties be written off as uncollectible:

405 Hess Street South	$ 1,917.19
87 King Street East	72,624.41
89 King Street East	200,316.58
226 1/2 Grosvenor N.	12,114.42
71 Horning	2,432.33

2) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102

3) That the Region and the Board of Educations share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately 75% of the amount deemed as uncollectible will be recovered from the Region and the Boards of Education.

BACKGROUND:

Attached is a summary indicating the disposition of 11 tax arrears properties which were offered for sale by public tender on November 26, 1996. You will note that 4 of these properties were redeemed prior to the tax sale, 2 properties were sold at the tax sale and 5 properties vested with the City as there were no bids received.

In accordance with the policy approved by City Council on October 29, 1996 for dealing with properties vested with the City as a result of receiving no bids through the tendering process, staff are recommending that the taxes on these properties be written off. The City's share of the uncollected taxes and any other additional costs will be charged to the Reserve for Property Purchases. The balance of the uncollectible taxes will be charged back to the Tax Write Off Account in order to recover the deficiency amount previously credited to the Region and the Boards of Education.

Tax appeals have been initiated with the Provincial Assessment Department with respect to the vested properties to establish the City's exempt status which will eliminate further taxation levies. Any adjustments resulting from the appeal process to reflect the actual tax lability for 1996 as of the date of vesting will be credited back to the City, Region and Boards of Education at a later date.

City of Hamilton
Treasury

Disposition of Tax Arrears Properties Offered For Sale By Public Tender
Sale Date November 26, 1996

	Address	Type of Property	Comments
1)	6 Olmstead	Vacant Land	Redeemed prior to sale
2)	295 Locke South	Residential	Sold at tax sale
3)	400 York Blvd.	Multiple	Sold at tax sale
4)	405 Hess South	Vacant Land	No bids-Vests with City
5)	89 King East	Multiple	No bids-Vests with City
6)	87 King East	Vacant Land	No bids-Vests with City
7)	843 King East	Multiple	Redeemed prior to sale
8)	226 1/2 Grosvenor N.	Commercial	No bids-Vests with City
9)	155 Sunrise Dr.	Owner Occupied	Redeemed prior to sale
10)	57 Tyrone	Owner Occupied	Redeemed prior to sale
11)	71 Horning	Vacant Land	No bids-Vests with City

5. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

JAN 10 1997

DATE: 1997 January 07

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Realty and Business Tax**
Prelevy Mill Rates for 1997

RECOMMENDATION:

That the prelevy residential and non-residential mill rates for 1997 be established at figures slightly below 50% of the 1996 respective mill rates as follows:

a) i) That a real property tax prelevy mill rate of 210 mills be established for 1997 to be billed in two instalments of 105.0 mills each, payable February 28th and March 31, 1997. This prelevy rate represents 49.985% of the 1996 residential mill rate.

ii) That a business tax prelevy mill rate of 247 mills be established for 1997 to be billed in one instalment, payable February 28, 1997. This prelevy rate represents 49.973% of the 1996 non-residential mill rate.

b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1996 charge, to be billed in two equal instalments, payable February 28th and March 31, 1997.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To enable the City to bill a prelevy of approximately $227,000,000.00 in realty and business taxes.

BACKGROUND:

For more than twenty years, the Corporation has collected two instalments of real property taxes and one instalment of business taxes prior to approval of the annual estimates by City Council.

These instalments of taxes, known as the prelevy, are restricted by the Municipal Act to 50% of the prior year's residential and non-residential public school mill rates for realty and business taxes, respectively.

I have indicated herein the prelevy mill rates for the years 1988 to 1996 inclusive, and the recommended rates for the year 1997.

a) **Realty Taxes**

Year	Prelevy Mill Rate	Prior Year's Residential Public School Mill Rate	% of Prelevy Rate of Prior Year's Rate
1988	140.0	281.6820	49.701
1989	149.0	299.2330	49.794
1990	162.0	324.0754	49.988
1991	182.0	364.8300	49.866
1992	188.0	376.0847	49.989
1993	196.0	392.1880	49.976
1994	200.0	401.4196	49.823
1995	200.0	401.3900	49.827
1996	206.0	412.7111	49.914
Recommended for 1997	210.0	420.1257	49.985

b) **Business Taxes**

Year	Prelevy Mill Rate	Prior Year's Non-Residential Public School Mill Rate	% of Prelevy Rate of Prior Year's Rate
1988	165.0	331.3906	49.790

BACKGROUND: Cont'd

Year	Prelevy Mill Rate	Prior Year's Non-Residential Public School Mill Rate	% of Prelevy Rate of Prior Year's Rate
1989	176.0	352.0389	49.994
1990	190.0	381.2652	49.834
1991	214.0	429.2117	49.859
1992	221.0	442.4526	49.949
1993	230.0	461.3976	49.849
1994	236.0	472.2583	49.973
1995	236.0	472.2235	49.976
1996	242.0	485.5426	49.841
Recommended for 1997	247.0	494.2657	49.973

Accordingly, it is recommended that prelevy rates be established in 1997 at, or near, the 50% maximum of the 1996 rates, as provided by Legislation.

As established in 1976, the City will again prelevy non-metered water and sewer surcharge on behalf of the Region. This prelevy will be approximately 50% of the 1996 charge, divided into two equal instalments, payable February 28th and March 31, 1997.

5.(c.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 January 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: One Hour Free Downtown Parking

BACKGROUND: The Finance and Administration Committee, at its meeting of December 3, 1996, approved the following staff direction:

> "That the Treasurer of the City of Hamilton enter into discussions with the Downtown Parking Association and its member representatives from the Private Parking lots in Downtown Hamilton, as well as the Hamilton Parking Authority representing the City of Hamilton Public Parking lots to develop and report back on the financial implications of a Unilateral 1 Hour Free Parking Program from within the Tax Base of the City of Hamilton."

DISCUSSION: As per the above noted directive, Treasury staff have met with representatives of the Downtown Parking Association in an effort to investigate the financial implications of a scheme whereby one hour of free parking would be granted at all downtown parking lots in the City.

For the purposes of these discussions it was agreed that the area to be considered would be the block bounded be Hunter, Cannon, Bay and Wellington Streets. Previous studies and reports on the downtown area had been done using these geographic boundaries and accordingly, information attained through Information Systems was made readily available.

OVERALL COSTS: From information provided by the parking lot operators, it is estimated that the annual cost to provide the parking only, (leaving aside any administrative costs), would approach $2 million. The larger operators provided staff with total annual sales figures for 1995, which excluded any parking lot entrance before 9:00 A.M., monthly permits and special event parking. These numbers were extrapolated over the balance of the lots to arrive at the total cost estimates. Realizing that the proposed program would not be utilized by all patrons that had been counted in the previous sales figures, it can be

assumed that the actual costs to the City would be somewhat less than the above noted $2 million. As noted at the Finance and Administration meeting, there has been no financial provision made in the 1997 budget or elsewhere for the costs of this proposal.

ALTERNATIVE PLANS: The administration of the scheme also becomes an issue in two ways. Depending on how the scheme is operated there are varying administrative costs to be borne by the City and a range of control issues. Three proposals for the implementation of the program are discussed below.

1) Monthly Reporting by the Lot Operators

For this alternative, lot operators would be expected to report on a monthly basis to the City. Based on those reports and following the scrutiny of City staff, the lot owners would be forwarded reimbursement payments. Based on compiled statistics the City's scrutiny would be a reasonableness test. That is if the report figures fell within the normal levels in comparison with previously reported numbers for that lot and in comparison with the averages for all the lots in general, the payment would be processed. Periodic site audits as well as a conciliatory process for dispute resolution may also be necessary.

It is estimated that the scrutiny of monthly claims, processing of cheques and any other associated work would take two person days per month. At an annualized rate, the administrative cost per year would be in the range of $4,000 to $5,000.

2) Flat Monthly Payment for Each Lot

This alternative requires Lot Operators and City staff to agree on a formula from which a basic monthly payment for each lot can be calculated. The formula could be dependant on usage averages, the numbers of spaces on the lot, the distance from the City core and/or established pricing parameters.

Once the formula is agreed upon, this scheme is the least administratively burdensome. There are, however, some reservations by the lot operators in this type of a scheme. They are concerned that this plan may create a windfall for some operators, while others would not be adequately reimbursed for their contribution to the plan.

Annual costs to administer this scheme are estimated to be $2,500.

3) Distribution of Tokens by Merchants

In this scenario the City would distribute tokens to the merchants in the area. The merchants in turn would give the tokens to their customers and those customers would use the token for the free hour of parking, as contemplated by the proposal. While the lot operators seem to favour this type of an arrangement, on face City staff find it to be the most susceptible to abuse by one or any combination of those participating in the scheme. The system is open to multiple problems in the distribution of the tokens by the merchants and the acceptance of the tokens by the lot operators. Control of either potential abuse

would be difficult, time consuming and costly to control.

Given the additional administrative duties stemming from the previously mentioned accounting, audit and control issues this proposal would easily be the most costly of the options. Costs associated with receipt and accounting for the tokens, issuance of reimbursements, and the monitoring of the program on an ongoing basis could approach one half of a full time position. Including salary, benefit and administrative overhead the annual cost of administering the proposal could approach $25,000.

LEGAL ASPECT: The Law Department, while making reference to the limited amount of detailed information, reports that the request appears to be prohibited by the Municipal Act and cite Section 111. (1), which defines the prohibition of assistance as the basis for that opinion.

Their report goes on to say that:

> Both the private downtown parking lot operators and the downtown merchants constitute "commercial enterprises" to which bonuses may not be provided by a municipality or its council, "directly or indirectly". While there are few or no details in the paragraph quoted at the beginning of this report, the use of the terms "free parking" and "within the Tax Base of the City of Hamilton", indicate that the municipal tax base is to be used to finance free parking downtown, apparently for the benefit of "private parking lots", i.e. their owners and downtown merchants.
>
> The prohibition seems quite clear and cannot be modified by any other legislation, present or future. Further, there seems to be no exactly corresponding immediate tangible benefit to the taxpayers to offset the bonus aspect. The phrase, "shall not assist directly or indirectly", forestalls various possible schemes to interpret the legislation otherwise than as was intended, thus apparently completely preventing a free parking subsidy at taxpayers' expense to private enterprise downtown or anywhere else in the municipality.

Allan L. Lees

cc. P. Noé Johnson
City Solicitor

/TB

6.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

Allan C. Ross
Treasurer

SUBJECT: 606 Aberdeen Avenue - Rothwell Properties
Tax Collection Procedures

RECOMMENDATION:

That the City enter into an agreement with the Province of Ontario, as negotiated with the Province (appendix A), to hold the City harmless for environmental degradation on 606 Aberdeen Avenue, in the event that the tax sale to recover tax arrears is unsuccessful, resulting in the vesting of the property with the City of Hamilton.

P Noé Johnson Allan C. Ross

BACKGROUND:

On December 19, 1995 Committee received an information report on the results of the law suit filed by one tenant, Enrack, to order the landlord to cease and desist from interfering with the tenants use and enjoyment of the property. The City had previously released its rent attornment; some of the results of which were applied to utility bills on the property and the City's legal expenses to date.

DISCUSSION:

The property was registered for tax arrears in September 1995 pursuant to the Municipal Tax Sales Act. The City has pursued an agreement with the Province to hold the city harmless for environmental degradation on the site. This agreement will be discussed below.

The period of redemption provided by the legislation, one year, has lapsed and the property will be advertised for sale: ads commencing January 11, 1997 in the "Hamilton Spectator" for a February sale.

The major tenant, Enrack, met with Alderman Drury and the Treasurer, and City Solicitor in December 1996 to indicate ongoing problems on site. Further a representative of Union Gas contacted the Law Department to advise us that they were cutting off service imminently because of nonpayment by the owner. The City has, in light of the need to preserve the asset prior to the tax sale date and ensure continued tenancy, issued Notices of Rent Attornment to the assessed tenants for the final months (January and February). Union Gas has not yet actioned the cut off given the City's initiatives.

The owner/landlord has advised the City (December 24, 1996) that he holds the City responsible for day to day maintenance. This assertion has been denied and the landlord remains in possession of the keys. Section 384 of the Municipal Act provides the City the right to rent attorn but does not impose management or maintenance obligations. Such obligations remain with the owner.

The realty tax arrears, penalty, interests, and costs in respect of the property, as of December 31, 1996, were $2,073,870.32. Accordingly, there may not be a successful purchaser for the property in February 1997. The City will then, in its involuntary role as tax collector for the City, Region and School Boards, become vested with the property. In order to manage the environmental liability risk to the City, an agreement has been negotiated with the Province - Ministry of the Environment and Energy. The agreement, appended hereto as appendix "A", provides as follows:

a) the City will not be held responsible for environmental contamination pre-existing the agreement with the Province thereby recognizing the City's involuntary and arbitrary involvement with the property;
b) the City, during the term of the agreement, has no liability for contamination caused by others and is only obligated to notify and report to the Province any discharge or spill;
c) the City is provided a minimum six (6) month term of protection following the tax sale during which staff will expedite the sale of the property. This period may be extended should it be required; and
d) the City is obligated to make available to prospective purchasers, either under tax sale or afterwards, a copy of environmental reports and information, including this agreement.

Other environmental properties are eligible for registration of a Tax Arrears Certificate and others for actual tax sale in 1997. We will be reporting on these properties as they are advertised for tax sale. Additional reports will be submitted at the conclusion of each sale with the results and necessary future steps.

AGREEMENT

CONCERNING ENVIRONMENTAL INVESTIGATIONS AND TAX SALES

BETWEEN:

THE MINISTRY OF THE ENVIRONMENT & ENERGY

(hereinafter referred to as the "Ministry")

-and-

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as the "City")

WHEREAS Rothwell Properties Inc. is the owner of the property located at 606 Aberdeen Avenue, Hamilton, ON, L8N 3K2 which may be described as Part of Lot 20, Concession 3, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, as more particularly set out in Schedule "A" attached hereto (the "property"). The property comprises fifteen (15) acres more or less, tenanted by various commercial and heavy industrial businesses.

AND WHEREAS the City has the statutory obligation pursuant to section 391 of the Municipal Act, R.S.O. 1990, C. M.45, to levy and collect realty taxes on behalf of the City and other public sector taxing bodies including the Regional Municipality of Hamilton-Wentworth and the school boards.

AND WHEREAS the owner of the property, Rothwell Properties Inc. is in default of payments of realty taxes, arrears, penalties, interests, and costs to the City, which default began in 1991 and has continued since that time.

AND WHEREAS the Municipal Act and the Municipal Tax Sales Act provide that realty tax arrears may be collected through action, distress, rent attornment as stipulated in the Municipal Act, and/or registration and sale of property as set out in the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, as amended (hereinafter referred to as the "MTSA").

AND WHEREAS A Tax Arrears Certificate, in accordance with section 3(1) of the MTSA was registered in the Land Registry Office of Hamilton-Wentworth as Instrument No. VM217819 on September 21st, 1995 on title to the property.

AND WHEREAS pursuant to section 9 of the MTSA the City Treasurer shall advertise and sell the property should the Cancellation Price, defined by the MTSA as "an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon and all reasonable costs incurred by the municipality...", not be paid to the City Treasurer on or before September 20th, 1996. The Cancellation Price has not been paid.

AND WHEREAS Phase I and II audits have been performed on behalf of the former Receiver-Manager, BDO Dunwoody Ltd., by Proctor and Redfern Limited in November 1990 and March 1991 respectively. Said environmental audits disclose the following environmental conditions, which may or may not be limited to:

1. exposed asbestos containing material identified on pipe and tank insulation;
2. waste water discharge contains elevated concentrations of phosphorus and fluoride;
3. existence of sludge and liquid residue in historic electroplating pits;
4. existence of heavy metals and arsenic found in girder and duct dusts;
5. shallow, low level but widespread arsenic and heavy metal soil contamination exceeding MOE Decommissioning Guidelines, as indicated by Proctor and Redfern Limited;
6. transformers on the property contain PCB concentrations of less than 50 parts per million which amounts, Proctor and Redfern Limited stipulate, do not constitute waste as defined by Ontario Regulation 11/82.

AND WHEREAS the Ministry has confirmed by letter to the City dated April 22nd, 1996 that no "Active Orders" are outstanding after a search of the Hamilton District Index Record of Active Orders under the Environmental Protection Act, Ontario Water Resources Act, and the Pesticides Act in respect of the property.

AND WHEREAS, in the context of such tax sale process, should a successful purchase of the property not occur at tax sale and/or the Cancellation Price not be tendered at tax sale, the City shall, pursuant to subsection 9(3)(b) be vested with the property, and accordingly would take possession with the intention of expedited sale of the property. Before proceeding in this manner, the City wishes to enter into an agreement (the "Agreement") with the Ministry in order to set out the terms under which such vesting and possession would take place.

AND WHEREAS at its meeting of *******, 1997, City Council authorized the said Agreement by adopting Item *** of the **** Report of the Finance and Administration Committee.

The terms and conditions of the Agreement are as follows:

1. (a) In this Agreement, unless something in the subject matter or context is inconsistent therewith, the term "City" means its officers, employees and agents and shall include any real estate agent, environmental consultant, property manager or the like retained by the City in the context of the MTSA sale process and the directors, officers, employees and agents thereof while acting on behalf of the City.

   (b) "Environmental Laws" means the Environmental Protection Act, R.S.O. 1990, E.19, and the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as these acts may be amended and in force from time to time, and any regulations, rules or guidelines issued under or in connection with such laws.

   (c) "Responsible Person" means, for the Property, the owner, occupant, person in charge, person responsible, person in possession, person having charge, management or control, or the like.

2. The City shall not be, and shall not be deemed to be, a Responsible Person under the Environmental Laws with respect to the property or any other real or personal property (including any contaminant, source of contaminant, pollutant or other hazardous or regulated substance), or be made subject to any order, directions, requirements, decisions, proceedings or the like under Environmental Law, with respect to any environmental contamination or other environmental problem, or any violation of Environmental Laws, that has already occurred, or is already in existence at the date of this agreement by reason of:

   (a) having (in its sole discretion and in its capacity as a municipality) entered upon or taken any action in its capacity as municipality with respect to the Property in order to:

      (i) conduct, complete or confirm any investigation of any kind, whether or not intrusive or in one or more stages, into the environmental or other conditions of the Property,

      (ii) preserve or protect the value of the Property, including but not limited to any steps required (a) to maintain public utility services, heat, maintenance services or security for the Property or to keep the Property insured or (b) to deal with

any immediate danger, or threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the property of any contaminant, pollutant or other hazardous or regulated substance, or

(b) collecting of rents, seizure of chattels or commencing, conducting or completing a public sale of the Property for the collection of realty tax arrears pursuant to the Municipal Tax Sales Act,

(c) taking any other actions or steps with respect to the Property to which the Ministry may agree from time to time, which agreement will not be unreasonably withheld.

3. This Agreement will enure to the benefit of and be binding upon the City and the Ministry.

4. The City represents that in the past it has not had direct management, control, ownership or possession or any similar interest in the property, other than those interests of a municipality.

5. The City shall, prior to conducting the tax sale as provided by section 9 of the MTSA, or, if vested with the property, entering into an agreement with respect to the sale of the property, make available to any prospective purchaser or tender applicant of the property a copy of all environmental reports and any other information about any material environmental problem at or relating to the property which are now or in the future in the possession or control of the City, which information shall include a copy of this agreement. For greater certainty, sale of the property shall include any transfer of possession of the property by leasing or otherwise, and any transfer of ownership of the property. In addition, it is understood that in this Agreement "purchaser" includes any tenant, licensee, or any other person to whom the property or the City's interest may be assigned or transferred.

6. The City will notify the Ministry in writing,

(a) forthwith if it becomes aware of any immediate danger, or any threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the Property of any contaminant, pollutant or other hazardous or regulated substance, or

(b) if it determines, by reason of any adverse environmental condition existing at or with respect to the Property, not to take any further actions or steps for the purposes described in Section 2 of this Agreement with respect to the Property. Any notice, under this clause, with respect to steps commenced under Section 2(a)(ii), will be given at least 14 days before the termination of such steps.

7. Failure to give notice under section 5 or 6 will not result in the loss of any rights or protection which the City has acquired under this Agreement with respect to the Property or otherwise.

8. When requested by the Regional Director the City will provide the Ministry with copies of any reports prepared as a result of any environmental investigation the City conducts with respect to the property and any other information that is now or in the future in its possession or under its control or capable of obtaining by reasonable efforts which will assist the Ministry in administering environmental laws with respect to Rothwell Properties Inc. and the property.

9. Nothing in this Agreement exempts the City from any duty it may have under Environmental Laws to provide any notice or make any disclosure, or from any responsibility under Environmental Laws for any discharge or spill of any contaminant, or the deposit of any waste, on the property, which is caused or aggravated directly by the City, but any such responsibility is limited to the extent of the cause or aggravation.

10. Either party may terminate this Agreement for any reason upon prior written notice to the other party. The Ministry may give notice to the City only up and until the date of the first advertisement in the local newspaper, "The Hamilton Spectator". If the Ministry gives such notice of termination, termination shall take effect upon the thirtieth (30th) day following the City's actual receipt of such notice. If the City gives the notice of termination, however, termination shall be effective immediately upon the Ministry's actual receipt of the notice, except where 14 days notice is required under Section 6(b), in which case termination shall be effective when notice has been so given. Termination will not affect any rights or protection acquired by the City under this Agreement with respect to (a) entry upon the Property in reliance on this Agreement prior to the effective date of termination or (b) any actions or steps taken or begun prior to the effective date of termination, for any of the purposes described in Section 2 of this Agreement. A fax confirmation sheet or mail or messenger service receipt will be conclusively deemed to be proof of actual receipt of notice of termination under this Agreement.

11. Notwithstanding any other provision of this Agreement, the right and protection of the City acquired under this Agreement only apply with respect to the activities of the City undertaken before the 180th day following a public sale of the property. This time period may be extended from time to time but only by notice in writing signed by the Ministry.

12. This Agreement does not affect the rights or obligations of third parties.

13. Nothing in this Agreement constitutes a commitment by the Ministry not to prosecute a person in the event that person commits and offence under the Environmental Laws.

14. This Agreement constitutes the entire agreement between the City and the Ministry with respect to the subject matter hereof. There are no prior understandings or agreements between the parties hereto with respect to the subject matter hereof. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory between the City and the Ministry other than as expressly set forth in this Agreement.

15. This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.

16. Notwithstanding any other provision in this Agreement, the Ministry retains the authority to issue orders which have as their purpose requiring or enabling the City to implement the provisions of this Agreement.

DATED this day of January, 1997.

THE MINISTRY OF THE ENVIRONMENT & ENERGY

_____

*****, Regional Director

THE CORPORATION OF THE CITY OF HAMILTON

_____

Robert M. Morrow, Mayor

_____

J.J. Schatz, City Clerk

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7.

CITY COUNCIL
HAMILTON, CANADA

Alde

71 MAIN STREET WEST L8N 3T4 • (905) 546-2730 • RES: (905) 545-7077 • Ward 3

1996 November 26

Chairman and Members of
Finance and Administration Committee

Dear Chairman and Members

Re: Increase in Licence Fees

During the past few months, we have received a fair number of calls regarding the significant increase in licence fees. No doubt there are many other business owners throughout the community who have expressed similar concerns and have not taken the time to call or write.

During discussions with most of the individuals contacting me from my ward, it has become quite evident that there is recurring theme which I believe needs to be addressed. In addition, I believe there are other issues which should be looked at again, especially in view of the recent changes to our financial, administrative and political structures.

First of all, why do we annually licence a business?

Secondly, it appears that the main function of some members of staff appears to be continually mail out reminders of licence renewal, collect and collate the returning application fees, cash the cheques and mail out the renewed licences. Are there more productive things are staff can be doing?

Thirdly, there appears to be a number of areas where licences have traditionally been required in the past that may no longer have merit, let alone renewal of licensing. Why do we licence restaurants? If it is to ensure that they are safe, then that matter should more properly be before the Board of Health. If it is to ensure that the owner is of "good character" then an initial licence application be warranted and only reviewed upon complaint or transfer of ownership.

.../2

Surely there are other examples of businesses that are annually licensed that don't need to be. It appears that the genesis of licensing began sometime in the last century and it was to genuinely ensure that businesses were being operated properly and in conformity with the norms of society. However, as we have developed other means of controlling bad behaviour or addressing specific concerns, i.e., health board, the courts, insurance...the City's involvement should be reviewed to take into account the changes in society.

At the next Finance and Administration Committee I will be requesting the following motion:

(a) That staff review each type of licence being issued and prepare a report advising the Committee as to the; (a) continuing necessity to continue a municipal role in the licence (i.e., legislative);

(b) Identify which other areas of licensing it is municipally desirable to continue in order to maintain specific policy objective. (i.e. street vendors to ensure that the sidewalks are not clogged);

(c) Areas in which the city can remove itself from licensing;

(d) Areas in which the city if it is deemed necessary or desirable to continue licensing that this be shifted from an annual basis to emit "a material change" as per needed basis. (i.e., change of ownership, on complaint, ? your business function).

I believe a full review of the Licensing function of the City of Hamilton will take a while to be completed. However, I believe that there could be substantial cost savings and large cut "in red tape" should we proceed with this review.

Sincerely,

Don Drury
Alderman, Ward 3

DD:jc

7.(a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 January 13

REPORT TO: Susan Reeder
Secretary, Finance & Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Business Licenses and Increase in Fees**

BACKGROUND:

Members of the Committee will recall that the recommendation to increase licence fees came about as a direct result of the decrease in transfer payments from the Province and the need by the City to maintain its revenue base so as to avoid a general tax increase. The fees recommended to City Council were the fees recommended by the consultants who prepared the User Fee Study for the City a couple of years ago.

This study recommended a renewal fee of $135 for establishment licenses and a fee of $185 for mobile licenses. These fees were adopted by City Council and came into effect for all licence renewals January 1, 1997. In addition, new licence applications were subject to a processing fee of $50, as of April 1, 1996.

In 1996, there were 5695 licences issued by the City, of which 2105 were mobile licences and 3590 were establishment licences. It is estimated that license renewals will generate approximately $855,279.

In 1993, a review of various licence categories took place. At that time 15 licence categories were deleted. The decision to delete these licence categories was based in part on the following:

1) these businesses were being regulated by Provincial Ministries; and/or

2) it was questionable as to whether or not there was an issue of public safety involved.

Business licensing provides regulation to ensure compliance with municipal standards, as well as raise revenue. Recently, the City of Barrie passed a By-law, based on the authority given under Bill 26, which would increase the number of business categories that it could licence. Barrie will now licence all retail businesses, including service oriented and professional businesses, such as doctors and lawyers.

Currently, all licence categories expire on December 31. In addition to other responsibilities, licensing staff is involved in the renewal process from approximately December 1 to approximately February 28. A renewal schedule based on date of application or a pro rated licence year would be more advantageous for both the City and the licence holder.

A full review of the City's Licensing function will take a period of time to be completed and will require the input from representatives of the Building, Fire, Health, Police, Law and Traffic Departments.

JJS/DR/tf



8. (a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1997 January 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng., Chairman,
Development Charges Staff Subcommittee

SUBJECT: Development Charges Act - Complaint
82-90 Stinson St (97.2.4.2.1.A, 97.4.12)

RECOMMENDATION:

That after hearing the evidence and submission of the complainant, Hanne Card, Humana House Non Profit Housing Corporation Inc, the Council of the City of Hamilton hereby confirms the development charges imposed on the property located at 82-90 Stinson Street as being properly imposed pursuant to City of Hamilton Development Charges By-law 95-176.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City of Hamilton will retain the $2,432.76 payable under the By-law.

BACKGROUND:

The subject lands at 82-90 Stinson Street are occupied by a large building known as the Fearman House. The Building Department's records show that the building has been used in the past for the Catholic Children's Welfare Office. This use is considered legally established non-conforming. The subject property is designated under the Ontario Historical Act as being of historical significance.

The developer of the property, Humana House Non Profit Housing Corporation Inc has applied to convert the existing building into a two-family dwelling. The use of the building for this purpose is permitted in the "D" zoning district. A complete description of the nature of the project is attached (see letter dated 1996 September 23).

The Development Charges Staff Subcommittee reviewed the complaint by Humana House and recommends denial of the complaint as the new dwelling units will create a demand for services charged under the Development Charges By-law.

LCK/PCL/dm
Encl.

HUMANA HOUSE
Non Profit Housing Corporation Inc.



September 23, 1996

Mr. Len King, Building Commissioner
City of Hamilton, Department of Buildings
City Hall, 71 Main Street West
Hamilton, ON L8N 3T4

Dear Mr. King,

re: ***100 Locke Street South and 82-90 Stinson Street***

Thank you for meeting with Julie Harris and myself on September 4, 1996. As discussed, Humana House Non-Profit Housing Corporation Inc. is endeavouring to develop 25-30 dedicated housing units. For the reasons described below we find it necessary to request exemption from/reduction in payment of development charges, park land dedication fees and building permits.

In November 1995, Humana House Non-Profit Housing Corporation Inc. and Good Shepherd Centres formed a partnership for the purpose of delivering housing and long term care services, respectively. This partnership has impacted on the kind of structure to be built, its location and the individuals who will live in the project:

Resident Profile. To be eligible for residency, individuals and families must require RGI subsidy and meet one of the following criteria:

* Frail elderly or premature aged
* Physically handicapped or having acquired brain injury; or
* Living with AIDS

In addition to these Ministry of Health criteria, we are committed to serve individuals who do not fit well within the services offered by other community agencies. It is expected that a major focus of the program will be for the individuals and families living with AIDS. Catastrophic illness, by its very nature, has dramatic social and economic consequences for the affected individual. For people experiencing the mental and physical trauma of AIDS, the problem is compounded by powerful social stigma attached to those with the disease due largely to widespread ignorance and fear around the method of contracting AIDS. People living with AIDS are not uncommonly faced with either blatant housing discrimination, or the negative, unsupportive and often abusive reactions of landlords or other tenants.

Long Term Care Services. On site services will include meal preparation, congregate dining, transportation, attendant services and related personal services which enable individuals with functional disabilities or limitations to remain in their homes, thereby preventing or forestalling institutionalization in a hospital, nursing home or other long term care facility.

35 Aikman Avenue, Hamilton, Ontario L8M 3M8 • Telephone (905) 525-5188 Fax (905) 525-2366

At Locke Street, we expect that most residents will live independently but from time to time we expect to provide interrupted intensive care for individuals. The support services will include co-ordination of existing community resources and services.

Site Selection. Two sites have been selected based on the following considerations:

* proximity to medical, social and government services
* access to public transportation
* within easy access of other Good Shepherd Centre facilities
* within walking distance of shopping and churches
* within walking distance of schools and day care centres

Board members and staff spent more than 60 hours visiting and investigating 16 downtown sites. All sites were either unsuitable for client needs or too expensive.

Humana House Non-Profit Housing Corporation Inc. has worked closely with a community advisory board, other agencies and care providers, consumers and architects to ensure the widest possible input into the planning process and that location and building design is appropriate to meet the needs of future residents. The group proposes to develop two projects, as follows:

90 Stinson Street - Renovations to existing Fearman Mansion and a three storey addition. 15 1 bedroom units and extensive community and congregate areas. Higher Long Term Care support services. ***Estimated completion Spring 1998. Budget construction costs $1,490,000, estimated total project costs $1,940,000.***

100 Locke Street South - 10 1 bedroom units and 5 2 bedroom units, new construction. Meeting and office area. Supportive housing. ***Estimated completion Spring 1998. Budget construction costs $1,100,000, estimated total project costs $1,500,000.***

According to MMAH guidelines for land costs, both sites are too expensive. ***An exemption from/reduction in payment of development charges, park land dedication fees and building permit would greatly assist the sponsor group in developing these projects and benefit the neighbourhood and community at large; restoring the Fearman Mansion and carrying out an environmental clean-up of the Locke Street site.***

We look forward to a favourable response and thank you for your kind consideration of this matter.

Sincerely,

Hanne Card
Humana House Non-Profit Housing Corporation Inc.

c.c. Mayor Robert M. Morrow
Ms. Susan Reeder, Secretary Finance and Administration Committee

8.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Building Commissioner

SUBJECT: Integrated Management and Tracking System for the Building Department (97.2.4.2.1.A, 97.5.17)

RECOMMENDATION:

a) That the allocation for project No. 7 in the 1995 Capital Budget described as An Automated Building Permit Tracking System be increased by $84,000 from $250,000 to $334,000; and,

b) That approval be given to issue a purchase order to CSDC Systems, Mississauga, Ontario in the amount of $260,000 for the supply and installation of an Integrated Management and Tracking System being the lowest acceptable proposal received in accordance with specifications issued by the Purchasing Division (ref. C1-1-96); and,

c) That the Finance and Administration Committee recommend the method of financing.

d) That the Mayor and the City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed $334,000 expenditure represents an increase of $84,000 over the previously approved $250,000 allocated to this project in the 1995 Capital Budget. In order to offset the original Capital amount, the Building Department committed to reducing its budget by $55,000 in spending through the elimination of one full time position. This position was eliminated in the 1995 budget.

.../2

In order to redress the $84,000 in increased spending, the Building Department will reduce its net budget by an additional $15,000 per year. It is anticipated that the increase in efficiency resulting from the implementation of the proposed Integrated Management and Tracking System will allow the reduction in the Net Budget to take place without a reduction in service.

The additional $74,000 over and above the $260,000 requested under Recommendation, Item b) for CSDC Systems is required to purchase a server computer and the underlying system operating software. A Purchse Order for these items will be requisitioned at a later date.

Implementation of the Trade Licensing Portion of the proposed System will eliminate the need to spend the $20,000 allocated for modifying the Main Frame Software currently used for Trade Licensing or replacing it. These modifications are necessary to deal with the year 2000 problems.

BACKGROUND:

The 1995 Capital Budget approved the expenditure of up to $250,000 for the procurement and installation of an automated network tracking system in the Building Department.

Throughout 1995, Building Department Staff contacted a number of municipalities and conducted a number of on site investigations to assess the current state of the art in permit tracking systems. From these inquiries, the Department learned the names of a number of companies supplying Permit Tracking Software and staff were able to arrange for company representatives to give demonstrations and hardware/software specifications for their products.

The Building Department discovered in its studies that the current crop of permit tracking software is based on a Client/Server computing environment with a Graphical User Interface such as Windows from Microsoft. This requires a considerable amount of computing power on the part of the Client Computer (The Client Computer is the computer that sits at the users desktop) in order to provide reasonable performance (i.e. 486 DX-2 with 16 Meg of RAM). In 1995 the cost of upgrading the 70 computers in the Building Department to the minimum specified requirements would have been prohibitive.

Early in 1996 the price of systems capable of running the Client software had dropped considerably and it was anticipated that the hardware costs would continue to drop throughout the implementation period. At this point the decision was made to proceed with the project.

.../3

In April 1996 a Steering Committee was set up to guide the Project through to implementation consisting of the following:

Jim Hindson, Director of Information Systems
Victor Abraham, Director of Local Planning
Len King, Building Commissioner
Tom Redmond, Chief Building Engineer

The Building Department with the assistance and support of Information Systems prepared a Request for Proposal (RFP) for the Supply and Installation of an Integrated Management and Tracking System. Three tenders were received in response to the RFP.

After careful consideration and evaluation of the proposals received, the Project Team selected CSDC Systems from Mississauga as the preferred vendor. A report outlining the Project Team's recommendations and conclusions was circulated to the Project Steering Committee on 1996 December 5. The Project Steering Committee endorsed the recommendations at a meeting held 1996 December 6.

In brief, the Project Team's decision to recommend CSDC's Software Solution (the AMANDA package) is based on the following (taken directly from the Steering Committee Report):

1. The Proposal submitted by CSDC scored highest on the quantitative and qualitative scoring.

2. The CSDC Proposal was the most explicit and complete of all the proposals submitted. It describes on a point by point basis how the proposed software will be able to meet each of the requirements set out in the RFP document and also the size and type of Server required.

3. The Vendor will spend time reviewing how the Building Department does business and adopt its system to meet the administrative and operational needs of the Department. This is reflected in their detailed submission and the large support costs shown

4. The system comes off the shelf with the capability to do Permit and Inspection Tracking along with compliance letters, Committee of Adjustment, and Trade Licensing. The framework, however, is open enough to incorporate Building Department processes and business rules into the system. For instance, the system can be set up to ensure that business processes take place within certain time frames such as permit issuance within for example seven days or plan examination within three days of application receipt.

.../4

5. The system is expandable, through the addition of software modules, to work being done by other departments (i.e. Establishment Licensing, Lottery Licensing, Planning etc.)

6. The Systems Administration Component is powerful and flexible, however, at the same time the interface is easy enough for a non-professional to use. There are a couple of municipalities where the CSDC AMANDA system has been installed and the Administrators are not computer professionals (i.e. Guelph and Oakville). This should allow the Building Department to maintain the system software with a minimal amount of external technical support thus reducing the overall support costs.

7. The CSDC AMANDA system is installed or is being installed in a number of local municipalities including Scarborough, Oakville, Guelph, Markham, Burlington, and Niagara Falls. This offers the potential for increased support through User Groups and information sharing among municipalities using the AMANDA System.

8. The Head Office for CSDC is in Mississauga and all of the technical support personnel work out of this office. This should provide for faster response times when technical support is required.

9. The AMANDA System was built from the outset for the Canadian municipal market,

10. The Report Writing facility allows for both standard and ad hoc reports. The system comes standard with the Statscan Monthly Report of Construction Activity in the format required by Statscan.

The CSDC Proposal with all of the required modules to meet the RFP requirements came in at a cost in the area of $252,000 before annual maintenance costs and the purchase of the Server and underlying Operating System/Database Software. The projected costs to complete the Project is now $334,000 (rounded off to the nearest thousand).

The $334,000 is an increase over the previously approved $250,000, but the Project Team considers the additional costs justifiable for the following reasons:

- The original budget of $250,000 was based on the supply and installation of a Permit and Inspection Tracking System only. While preparing the RFP document, the Project Team looked at all the processes within the administrative responsibility of the Building Department and included them in the Proposal.

.../5

- Expanding the scope to include the Committee of Adjustment, Land Division Committee, Zoning Verifications/Property Reports, Loans, and Trade Licensing will allow the Building Department to track all key information while at the same time maintain a consistent user interface for data entry and queries

- More and better information will be available on line for each property within the City of Hamilton. This will assist in the provision of more complete and timely information reports or responses to queries from the public, other departments, or council members

- The CSDC System is expandable by the purchase of additional modules to include work done by other departments such as Lottery Licensing, Land Development, and Establishment Licensing

- Other Departments such as Fire, Health, Planning, and City Clerks can easily be networked into the AMANDA System to gain instant access to information on properties in real time rather than having to send requests for information to the Building Department

- This system will form the backbone in the Building Department's plan to implement administrative services through remote neighbourhood offices outside of City Hall. These neighbourhood offices would be capable of receiving applications and fees, answering queries and issuing permits for minor additions and alterations.

- The work of other Departments, which have inspection processes such as Fire and Health could be modeled and tracked within the AMANDA System if the Corporation were to decide to go to a corporate wide Management and Tracking System

The CSDC System best meets the requirements outlined in the RFP while at the same time allows for the expansion of the system to meet changing needs. In the current uncertain municipal environment, flexibility, and expandability are important in order to avoid premature obsolescence.

LCK/TR/dm

c.c. J. G. Hindson, P.Eng., Director of Information Systems
Allan C. Ross, Treasurer

8. (b.) (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Integrated Management and Tracking System for the Building Department - Financing of the Increased Costs

RECOMMENDATION:

That the increased cost of $84,000 for the Automated Building Permit Tracking System, Account Centre No. CF 509551017 from $250,000 to $334,000 be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The details of the project are outlined in the letter of L.C. King, P.Eng., Building Commissioner, dated 1997 January 8 to the Secretary, Finance and Administration Committee.

NRA:Jc

c.c. Mr. L. King, P.Eng., Building Commissioner
Mr. J. G. Hindson, P.Eng., Director of Information Systems

8.(c)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng., Chairman
Development Charges Staff Subcommittee

SUBJECT: Development Charges By-law 95-176 - 1997 Rate Increase
(97.2.4.2.1.A, 97.4.12)

RECOMMENDATION:

a) That the development charges imposed under Development Charges By-law 95-176 be increased by 1.7% to reflect increased construction costs; and,

b) That Section 8(1) of By-law 95-176 be adjusted as follows:

TYPE OF RESIDENTIAL UNIT	PER UNIT
- Single detached dwelling, semi-detached dwelling, row dwelling	$1,592.05
- Two or more bedroom apartment	909.75
- Bachelor and one bedroom apartment	454.87

c) That Section 8(2) of By-law 95-176 be adjusted as follows:

TYPE OF RESIDENTIAL UNIT	PER UNIT
- Single detached dwelling, semi-detached dwelling, row dwelling	$ 211.97
- Two or more bedroom apartment	121.12
- Bachelor and one bedroom apartment	60.56

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The moneys collected under the By-law will increase by 1.7%.

.../2

BACKGROUND:

The City of Hamilton passed a new Development Charges By-law on 1995 September 19. This By-law replaced a development charges by-law passed in 1990 and imposed new rates for residential development only.

The Development Charges Act allows the City to adjust the development charges annually, without amending the by-law, in accordance with the Composite Index as published in the Ontario issue of the Southam Construction Index. The Construction Index rate from 1996 October to 1996 October has increased by 1.7%.

The Development Charges Staff Subcommittee recommends adjustment of the development charges based on the increase in the Construction Index.

LCK/PCL/dm

9. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Award of Contract - Central Utilities Plant, Chiller Overhaul

RECOMMENDATION:

(a) That approval be given to issue a purchase order in the amount of $88,917 inclusive of GST ($5,817) to Trane Inc., Hamilton District Office to supply labour and materials to perform a major overhaul on the three centrifugal refrigeration chillers located within the Central Utilities Plant, this being the only acceptable tender received in accordance with the specifications (Ref: C14-21-96) issued by the Purchasing Division; and,

(b) That this expenditure be financed from Capital Budget Account CF 319641027 Convert Air Conditioning Equipment.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This work is included within the approved 1996 Capital Budget work plan and is within the estimated expenditure and budget (CF 319641027 - $158,000).

BACKGROUND:

In response to the tender issued by the Purchasing Division (Ref: C14-21-96) three quotations were received:

Trane Inc., Hamilton	$88,917.
Honeywell Limited	Disqualified
York Air Conditioning Ltd.	Disqualified

In keeping with the Property Department's strategy for the eventual phase out of ozone depleting CFC refrigerants which are primarily used for air conditioning in the City's downtown facilities, this project commences Phase II of a three year plan that began in 1996.

The three centrifugal chillers located at the Central Utilities Plant (C.U.P.) supply chilled water for air conditioning purposes to the Art Gallery, Hamilton Convention Centre, Hamilton Place and the Ellen Fairclough Building.

As per the manufacturer's recommendations, a major overhaul of this equipment should be conducted every 7 - 10 years in order to inspect and replace any worn parts. The three machines at C.U.P. are approximately 23 years old and have been overhauled once before in 1988. The major overhaul of this equipment will include the complete re-gasketing of all castings which will ensure minimal losses of CFC refrigerant to the atmosphere. This plan of action is consistent with staff's "containment" strategy for these three machines due to the age of the equipment. Alternative strategies include conversion or replacement both of which are being employed in other facilities included within the overall scope.

Other works planned for Phase II, pending the approval of funding, includes the engineered conversion of the two ice plant machines at Copps Coliseum and the necessary changes to the refrigeration equipment room required by code.

Phase III of the plan will commence in 1998 pending Council approval of the Capital Budget and will include the two Library chillers and the 3-stage chiller at City Hall.

JGP/DWV/rd

cc. J. Krochak, Senior Buyer, Purchasing Division
T.J. Fehr, Chief Engineer, Central Utilities Plant
T. Reinhart, Maintenance Supervisor, Central Utilities Plant

9. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

JAN 10 1997

DATE: 1997 January 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

(a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 000 Upper James Street (Parts 2 and 3 on Plan 62R-10945). Landlocked vacant parcel - east side of Upper James between Rymal and Stone Church.
(ii) 644 Barton Street East

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

J. G. Pavelka

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a By-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

These properties being recommended as surplus have been circulated to all City and Regional Departments and there has been no declared municipal interest.

DISCUSSION:

The City of Hamilton became owners of the subject properties as a consequence of the City's tax sale procedures pursuant to the Municipal Tax Sale Act. The vacant parcel of land at 000 Upper James Street vested in the name of the City by virtue of Instrument No. LT413944. The improved property at 644 Barton Street East vested in the name of the City by virtue of Instrument No. LT413815.

VDP/nw

c.c. P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
D. Lobo, Commissioner of Public Works and Traffic

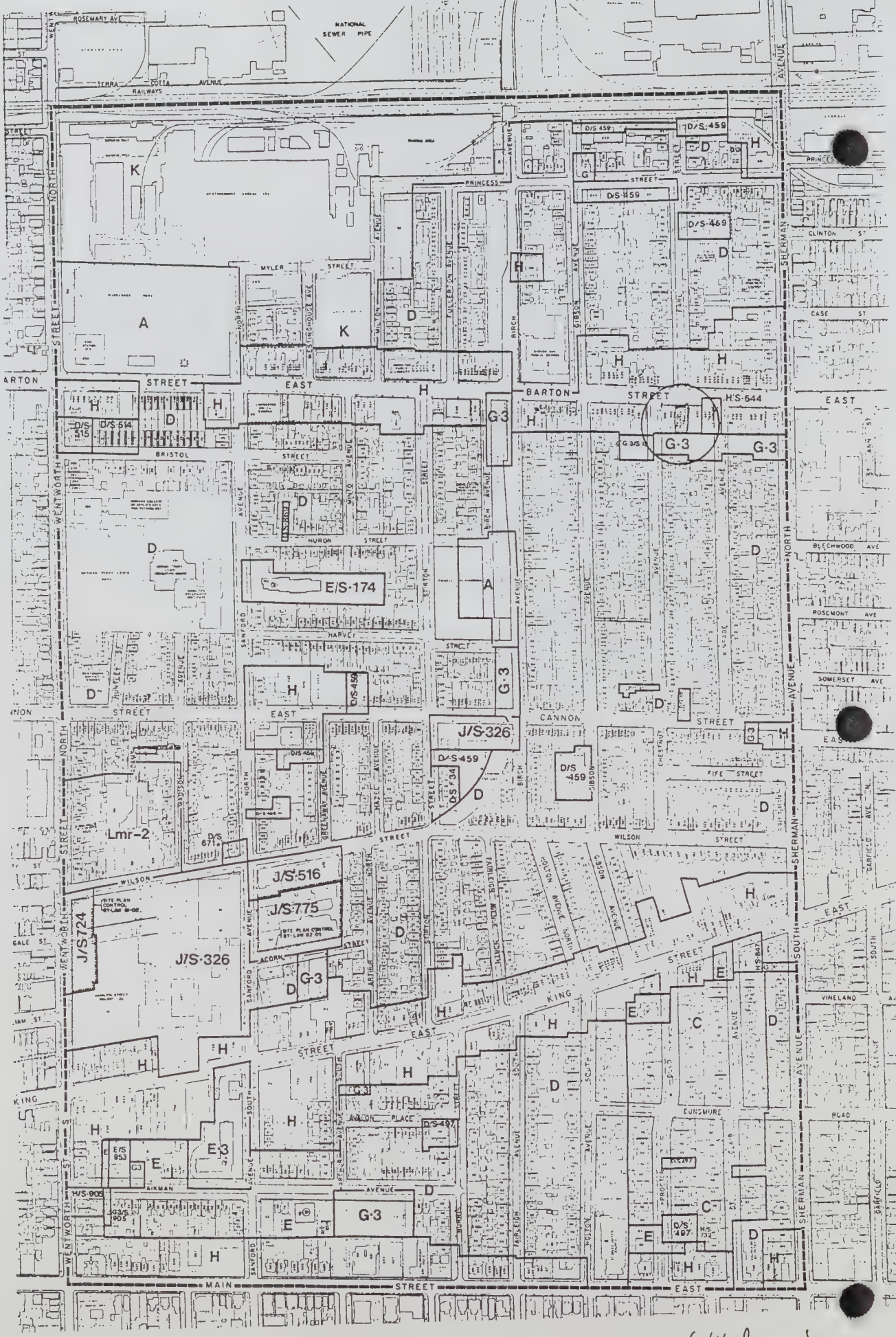
PROPERTY DESCRIPTION

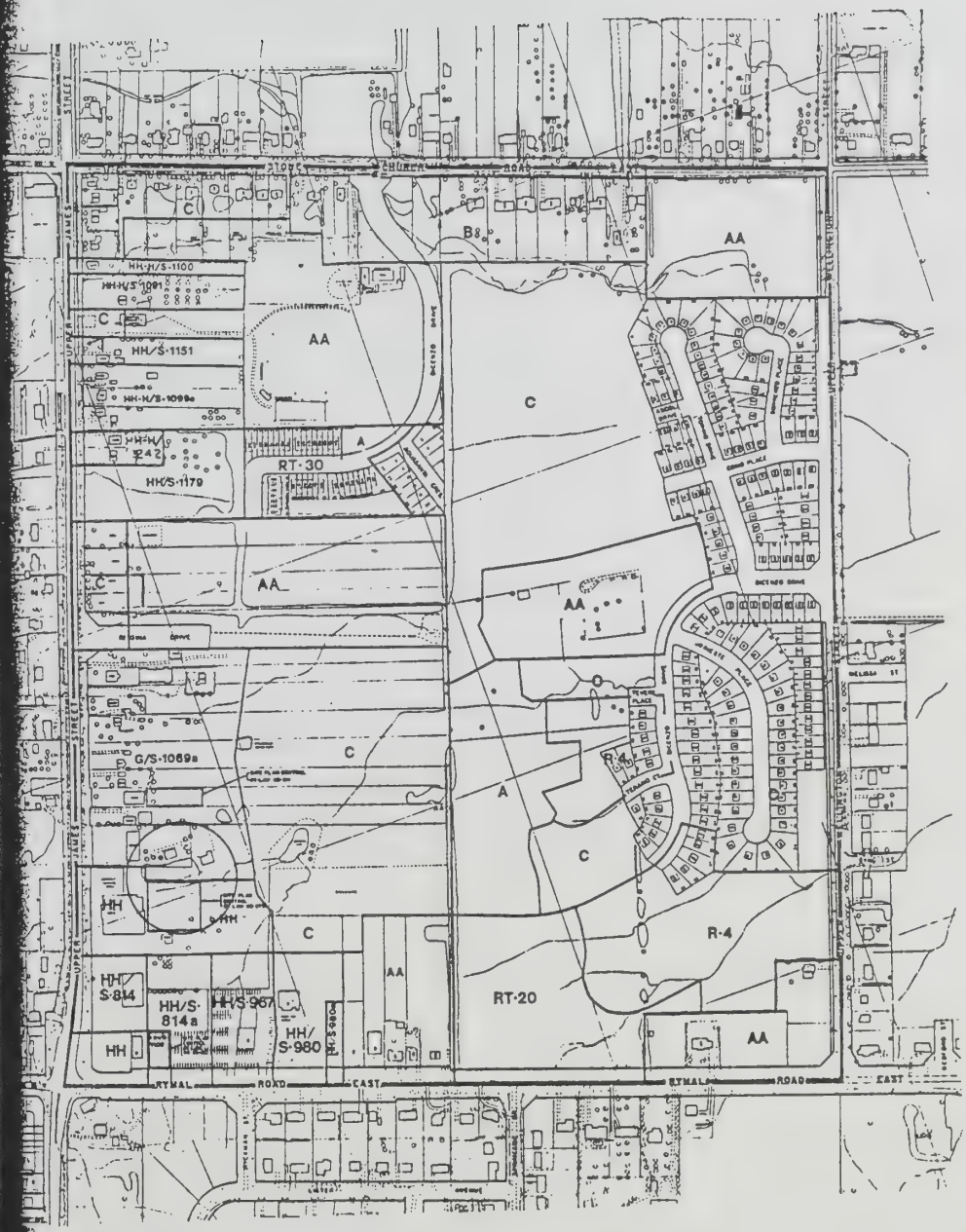
(i) 000 Upper James Street (Parts 2 and 3 on Plan 62R-10945)

A landlocked parcel of vacant land being approximately .164 acre in size, located on the east side of Upper James, north of Rymal Road, located on the south side of the future Delta Drive. The property is zoned "HH" (Restrictive Community Shopping and Commercial) and was vested to the City through the Tax Arrear Process as Instrument No. LT413944.

(ii) 644 Barton Street East

A commercial property comprising approximately 5,800 square feet over two floors plus a full basement area and was vested to the City through the Tax Arrear Process as Instrument No. LT413815. The lot size is 45 feet by 104 feet and is zoned "H" commercial. The former use was as a Banquet Hall/Dance Hall.


ROSEMARY AV
NATIONAL SEWER PIPE
TERRA COTTA AVENUE
RAILWAYS
PRINCESS STREET
CLINTON ST
CASE ST
BARTON STREET EAST
BRISTOL STREET
HURON STREET
HARVEY STREET
CANNON STREET
WILSON STREET
KING STREET EAST
MAIN STREET EAST
BLEECHWOOD AVE
ROSEMONT AVE
SOMERSET AVE
VINELAND
WENTWORTH STREET NORTH
SHERMAN AVENUE NORTH
SHERMAN AVENUE SOUTH
A
K
D
H
G-3
E/S-174
J/S-326
J/S-516
J/S-775
J/S-724
Lmr-2
H/S-644
H/S-907
D/S-459
D/S-514
D/S-515
D/S-469
D/S-497
E/S-953
644 Barton St. E.



000 Upper James St.

86 82 33 101 119 6 83 6 24 This is not a Legal Document. For Zoning Verification Please Contact City Building Department.	CITY OF HAMILTON RYCKMANS ZONING
Neighbourhood Boundary Zoning Boundary	SCALE 1 0 1 Mile
Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth	PLANNING UNIT NO. 7508 PAGE NO. 119

9.(c)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Proposed Lease Agreement
Part of 80 Arkledun Avenue, Hamilton

RECOMMENDATION:

(a) That the City of Hamilton enter into a Lease Agreement with David Michael Howitt, Elizabeth Howitt, Richard Wilson and Ann Riches to lease part of the City lands at 80 Arkledun Avenue, being an irregular shaped parcel of City lands approximately 55.74 square metres (600 square feet) more or less, fronting on Arkledun Avenue, Hamilton; and,

(b) That the Lease Agreement contain the following terms and conditions:

(i) Term - Commencing 1997 April 1 and terminating 2002 March 31;

(ii) Rent - $300 per year plus any applicable taxes to be credited to Account No. CH 44104 31106 (Miscellaneous Rentals);

(iii) Use - That the Lease Agreement shall be solely for vehicle parking purposes;

(iv) Maintenance - The Lessee to be solely responsible for all maintenance costs associated with the subject lands;

(c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The rental payment in the amount of $300 per year be credited to Account No. CH 44104 31106 (Miscellaneous Rentals).

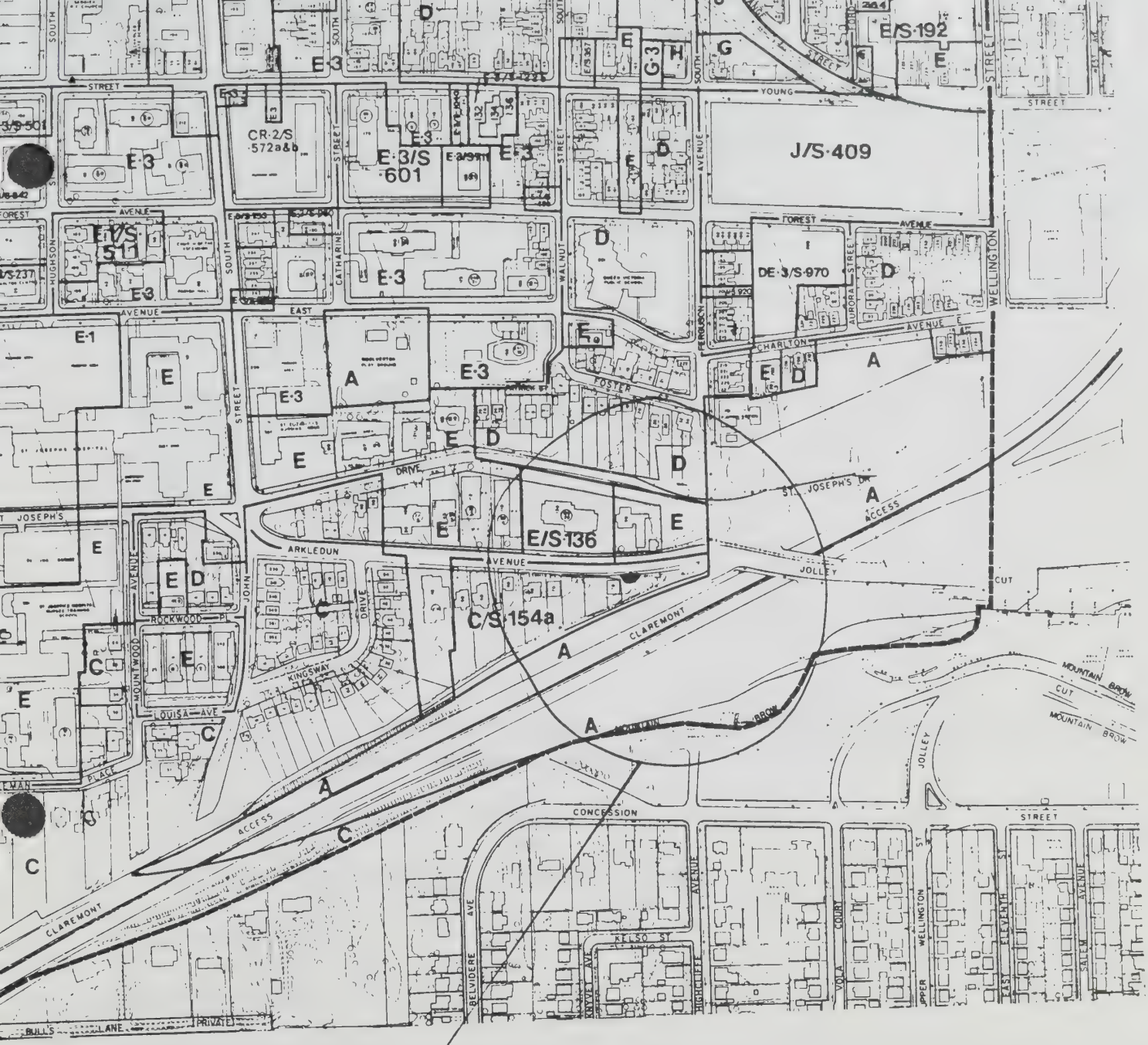
BACKGROUND:

The new owners of the property located at 78 Arkledun Avenue have approached the City requesting an opportunity to lease a small (600 square feet) portion of the abutting City lands for vehicle parking purposes. The subject City lands had previously been leased to the prior owners of 78 Arkledun Avenue for similar purposes as no parking exists with the house located at this address.

KN/nw

c.c. P. Noé Johnson, City Solicitor
A. Ross, Treasurer

(20.1.12)



All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

21	10	95
41	31	125
123	22	68

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

CORKTOWN

ZONING

Neighbourhood Boundary

Zoning Boundary.

SCALE 0 90m 100m NORTH

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6702

PAGE NO 31

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Deputy Chief G.L. Desjarlais
Hamilton Fire Department

SUBJECT: Memorandum of Agreement
Hamilton Professional Fire Fighters Association, Local 288

RECOMMENDATION:

That Council approve the 1995 Memorandum of Agreement between the City of Hamilton and the Hamilton Professional Fire Fighters Association, Local 288.

The term for the agreement is 1995 January 1 to 1995 December 31.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

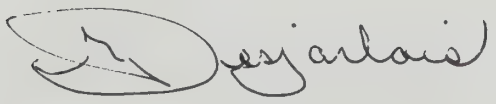
Not Applicable.

BACKGROUND:

A memorandum of agreement has been negotiated with the Hamilton Professional Fire Fighters Association, Local 288 for the term of 1995 January 1 to 1995 December 31.

The agreement is for the term of one (1) year, and there were no amendments to the 1994 Collective Agreement.

The Hamilton Professional Fire Fighters, Local 288 membership ratified this agreement on 1996 November 28.



GLD/so

"Copy sent to A. Ross, Treasurer - 1997 January 2nd".

The Hamilton Firefighters Drum Corps Inc.

Canada's Firefighting Ambassadors

11.

110 Leitch Drive,
Grimsby, ON
L3M-2V1

Alderman Robert Charters - Chairman,
Finance & Administration Committee
City of Hamilton,
City Hall,
71 Main Street West,
Hamilton, Ontario,
L8N-3T4

JAN 2 1997

December 19, 1996

Subject: **Hamilton Firefighters Drum Corps Building Repayment Proposal**

Dear Alderman Charters;

As per my letter of December 16, 1996 outlining the present cash-flow position of the Firefighters Drum Corps, we would request that your committee consider the following proposal in regards to modifications to the loan repayment schedule.

We propose:

1) Payments be reduced to $8,000 per calendar quarter, with extension of payment periods to compensate.

2) The January 1st., 1997 and the April 1st., 1997 payments be deferred to the end of the repayment period. Extended the repayment schedule by additional pay periods to compensate for the deferments.

3) The January 1st, 1997 and a portion of the April 1st. payment will be applied to our outstanding 1996 realty tax arrears. The January 1st. will already have been paid by the time this proposal is considered. If the proposal is approved, we request that the January 1st. payment be transferred to the Tax Department.

This relief period and the reduced load on our annual cash flow should be sufficient to see us through a very difficult next six months into an improved income position.

Thank You;

Peter Mason, Secretary

cc: Alderman Henry Merling
Chief Garry Smith
W.G. Gilchrist, Supervisor of Tax Collections
D.W. Vyce, Director of Property
Susan Reeder, Secretary, Finance & Administration Committee

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

Tuesday, 1997 January 21
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held on Tuesday, 1996 December 3rd

B. TREASURER

(i) Safety Footwear - Tender awarding

(ii) Funding - Proposed Purchase - land on Ferguson Avenue South, between Main and Kings Streets

(iii) Authorization to Enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

(iv) Tax Applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45, Statutes of Ontario, 1990

C. COMMISSIONER OF HUMAN RESOURCES AND CHIEF ADMINISTRATIVE OFFICER

(i) United Brotherhood of Carpenters and Joiners of America - Local 18 - Receipt of Amended Collective Agreement

(ii) Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1997 January 10th

D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

2.

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D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1996 December 3
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman D. Wilson
Alderman C. Collins
Alderman T. Anderson
Alderman D. Drury
Alderman V. J. Agro

Also present: Alderman G. Copps
Alderman H. Merling
Alderman F. Eisenberger
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. Schatz, City Clerk
Fire Chief Smith
Deputy Fire Chief Desjarlais
P. Baker, Hamilton Parking Authority
M. Watson, Real Estate
J. Hindson, Director of Information Systems
K. Roberts, Hamilton Public Library
T. Daw, Treasury
B. Gilchrist, Treasury
Susan K. Reeder, Secretary

A G E N D A

PRESENTATION - HAMILTON FIRE CHIEF - COMMENTS ON THE MASTER FIRE PLAN

Fire Chief Smith addressed the Committee with respect to his comments on the recent received City of Hamilton Master Fire Plan.

Copies of the Fire Chief's address were circulated to members of the Committee. The Fire Chief then gave a presentation of his comments on the recommendations contained in the Plan.

Discussion then ensued with the Fire Chief on his presentation. The Committee then approved the following:

That the presentations of the Fire Chief and the presentation of the Hamilton Professional Fire Fighters Association, along with the Hamilton Master Fire Plan be referred to the 1997 - 2006 Current and Capital Budget process.

A. DELEGATION - The Downtown Parking Association - Free Parking in Downtown Hamilton

The Committee was in receipt of a report from the Downtown Parking Association dated 1996 November 22, respecting the above noted matter.

Greg Fraleigh, Member of the Downtown Parking Association spoke to the Committee with respect to the request of the Association to be allowed to enter into discussions with the City Treasurer on the feasibility of providing one hour free parking in the downtown to be derived from tax base funding.

Considerable discussion then ensued and Alderman Drury requested that staff also review the possibility with Regional staff of providing free on-street parking in the downtown.

The Committee then approved the following:

> That the Treasurer of the City of Hamilton enter into discussions with the Downtown Parking Association and its member representatives from the Private Parking lots in Downtown Hamilton, as well as the Hamilton Parking Authority representing the City of Hamilton Public Parking lots to develop and report back on the financial implications of a Unilateral 1 Hour Free Parking Program from within the Tax Base of the City of Hamilton.

The Committee further approved the following motion made by Alderman D. Drury:

> That staff enter into discussions with Regional staff on the possibility of providing free on-street parking in the downtown area, and report back to the Finance and Administration Committee.

ADDED - CHIEF ADMINISTRATIVE OFFICER - Donation from Firan Corporation to Hamilton Sesquicentennial Celebrations Inc.

The Committee was in receipt of an added report from the Chief Administrative Officer dated 1996 December 2, respecting the above noted matter and approved the following:

(a) That approval be given for the City Treasurer to receive payments from the Firan Corporation, as donations towards Hamilton's Sesquicentennial Celebrations; and,

(b) That the City Treasurer be authorized to grant these contributions received to Hamilton Sesquicentennial Celebrations Inc.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1996 November 19th, and approved these minutes as circulated.

B. COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations From Permanent Positions

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1996 November 21, respecting the above noted matter and approved the following:

> That the listing of Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1996 November 22, attached herewith and marked Appendix "A", be approved.

C. TREASURER - Financing - Ontario Municipal Board Hearing - 280 Weir Street North

The Committee was in receipt of a report from the Treasurer dated 1996 November 26, respecting the above noted matter.

The Committee approved the following:

> That the cost to complete the Ontario Municipal Board hearing concerning Rental Housing Protection Act Application CU-93-001 and Zoning Application 93-32, for 280 Weir Street North, up to a maximum amount of $10,000 be financed by charging Account No. CH 24101-55406 Consultant Fees.

D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1996 November 28, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Recommendation report from the Commissioner of Public Works and Traffic to the Parks and Recreation Committee respecting the Closure of Capital Account - T. B. McQueston Multi-Cultural Park Development - report dated 1996 November 14th

(b) Information Report - H.E.C.F.I. - Quarterly Report as at 1996 September 30th - report dated 1996 October 18th

(c) Information Report - Chief Executive Officer, Hamilton Public Library - Quarterly Report as at 1996 September 30th - report dated 1996 November 15th

(d) Correspondence - Corporation of the Village of Blyth - Education Finance Reform -letter dated 1996 November 5th

(e) Information Report - Treasurer - Laser cheque signatures - report dated 1996 November 26th

(f) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1996 October 31st - report dated 1996 November 20th

(g) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1996 October 31st - report dated 1996 October 31st

(h) Information Report - City Clerk - Use of City Facilities by Outside Groups - report dated 1996 November 26th

(i) Correspondence - Town of Dundas - Financial Support - St. Joseph's Villa Day Care Program - letter dated 1996 November 7th

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

BB. HAMILTON PUBLIC LIBRARY - Non-Union Redundancy

That the Hamilton Public Library Board be allowed to spend up to $60,000 of its anticipated 1996 Operating Budget surplus in a manner which is different from its budget estimates, namely; that a buy-out package of $45,000 be presented to the non-union Personnel Clerk and that up to $15,000 be spent on the capital costs required to eliminate the personnel reception point and to create an area so that the clerical services of Administration/Personnel/Business can be pooled.

CC. **CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - City of Hamilton -ats- Juan C. Crespo; Ontario Court (General Division) Small Claims Court - Action No. 7747/96**

(a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 7747/96 by the payment to the Plaintiff, Juan C. Crespo, of the sum of $500 inclusive of all damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Small Claims Court Action No. 7747/96 be dismissed without costs.

DD. **CITY TREASURER**

(i) **Writeoff of Outstanding Business Taxes**

That outstanding business taxes in the amount of $426,473.06 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.

(ii) **Writeoff of Outstanding Accounts Receivable**

That outstanding Accounts Receivable in the amount of $18,605.39 be written off and charged to Account CH 15401 00001.

3. **MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION/HAMILTON HOUSING COMPANY LIMITED - Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited - 1997-2006 Provisional Capital Budget**

The Committee was in receipt of a report from the General Manager of the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited dated 1996 November 13, respecting the above noted matter.

The Committee approved the following:

(a) That the capital projects from the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited be considered for inclusion in the ten year 1997 - 2006 Provisional Capital Budget; and,

(b) That these capital projects be reviewed by the Management Team (Capital Budget Sub-Committee) for consideration by the Committee of the Whole and City Council.

4. **TREASURER**

(a) **Temporary Borrowing By-Law**

The Committee was in receipt of a report from the Treasurer dated 1996 November 13, respecting the above noted matter and approved the following:

(a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1997 pending receipt of current revenues; and,

(b) That the appropriate borrowing by-law be approved.

(b) **Status of Development Charge Funds**

The Committee was in receipt of a report from the Treasurer dated 1996 November 22, respecting the above noted matter.

The Committee approved the following:

That the "Development Charge Reserve Fund Statement of Continuity" for the year 1995 which was approved by City Council on 1996 August 27 (Section 25 of the Fourteenth Report for 1996 of the Finance and Administration Committee) be revised, as indicated on Appendix "B" herewith attached.

(c) **Requested Information Report - Tax Arrears - 625 Greenhill Avenue**

The Committee was in receipt of a requested information report from the Treasurer dated 1996 November 27, respecting the above noted matter.

Following discussion on this matter, the Committee agreed to receive this Information Report and take no further action.

5. **CITY SOLICITOR - Art Gallery of Hamilton**

The Committee was in receipt of a report from the City Solicitor dated 1996 November 22, respecting the above noted matter.

A copy of correspondence from Tim W. Bermingham, Solicitor with Blake, Cassels and Graydon which confirms their support for the staff recommendation was circulated.

The Committee approved the following:

(a) That the City consent to the exemption of the Art Gallery of Hamilton pursuant to s.3 paragraph 16 of the Assessment Act RSO 1990; and,

(b) That the City Solicitor investigate the options and means available to the City to achieve this status.

6. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

(a) **Offer to Purchase - Sale of City Property - 8-10 Brantdale Avenue - Part of CarPark #20**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1996 November 25, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase Agreement, duly executed by Mark Pillinini on 1996 November 21 and scheduled to close on or before 1997 April 15, for the lands municipally described as 8-10 Brantdale Avenue, being part of Lots 14 and 15, Block C, Registered Plan No. 279, Hamilton, having a frontage of 18.47 metres (60.60 feet) more or less, along the north side of Brantdale Avenue and a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $51,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

(b) That the required deposit cheque in the amount of $5,100 be held by the City Treasurer pending Council approval; and,

(c) That the Offer to Purchase be conditional upon certain matters, in addition to the standard conditions contained on the City's Offer to Purchase form, in particular paragraphs 16 and 17;

(i) 16. It is understood and agreed that this Offer to Purchase is conditional upon a City By-Law being approved and passed to rezone the subject lands from "G-3" to a zoning district which will permit the development of the property for two single family detached dwellings and/or two semi-detached dwellings, in accordance with the requirements of the Planning Act, R.S.O. 1990. Further, if the above-noted by-law is approved and passed to rezone the subject property, this Offer to Purchase is conditional upon there being no appeal of the City's decision to the Ontario Municipal Board within the time period allotted for appeals, pursuant to the Planning Act, and the rezoning therefore being final and binding; and,

In the event the above condition is not met prior to the 14th day of 1997 March, then this Offer to Purchase shall be null and void and the deposit returned to the Purchaser without interest; and,

17. Provided the rezoning referred to in paragraph 16 is obtained, the Vendor shall, at its own expense, prepare and register a reference plan of the subject property severing the property into two separate lots (the most westerly having an even width from front to rear of 30.6 feet and the easterly having an even width from front to rear of 30.0 feet). The property shall be sold to the Purchaser as two separate lots.

(ii) In paragraph 19, the Purchaser acknowledges the selling price is net of various governmental charges such as development charges, local improvement charges, building permit fees, fees for connections of water and sewer lines, cost of a Lot Grading Agreement, etc; and,

(d) That with respect to the condition noted in (c)(i) above, the Property Department initiated a rezoning application on 1996 September 27, to permit the development of either two single or semi-detached dwellings. Subsequently the Planning Department advised that the proposed zoning district is "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) Modified; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 13th day of August 1996; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(b) **Award of Contract - Mechanical Maintenance of Refrigeration Ice-Making Equipment in Ten Civic Arenas**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1996 November 25, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order to Black & McDonald Limited, Stoney Creek, Ontario in the amount of $112,880.72 per year inclusive of ($7,384.72 GST) for mechanical maintenance of refrigeration ice making equipment in (10) city owned arenas during 1997, 1998 and 1999, this being the lowest tender received in accordance with specifications issued by the Purchasing Division (Ref: C14-20-96.); and,

(b) That this expenditure be financed from the Current Budget Accounts CH 56380 31136 Refrigeration Contract, Recreation Buildings and CH 56380 31137 Refrigeration Contract, Twin Pad Arena; and,

(c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

(c) **Offer to Purchase - Sale of City Property - 411-413 Brittania Avenue**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1996 November 26, respecting the above noted matter.

Concern was expressed at the delay from the time of the appraisal until the sale of the property, and that as a result of this delay the building sat empty and was subject to damage and vandalism, and resulting loss of value.

In this regard, Mike Watson of the Real Estate Division advised that a report will be coming back to the Committee to recommend that the City tender for real estate brokers to list and sell these properties.

The Committee then approved the following:

(a) That an Offer to Purchase Agreement, duly executed by Ratko Radisic, on 1996 November 22 and scheduled to close on or before 1997 January 16, for the lands municipally described as 411-413 Britannia Avenue, being all of Lot 186 on the east side of Weir Street North, having a frontage of 7.62 metres (25 feet) more or less, in the Fairchild Survey Plan 502, City of Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $30,000 be credited to Account Number 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $3,000 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 6th day of September 1996; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(d) Tender to allow the leasing of advertising billboards on City lands

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1996 November 26, respecting the above noted matter.

The Committee approved the following:

That the Director of Property be authorized to call for Tenders for the Lease of five (5) locations throughout the City for the placement of outdoor advertising billboards for a three (3) year period.

7. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - Telecommunications Access Proposal (T.A.P.) Grant request to the Ontario Ministry of Economic Development

Alderman Wilson declared a Conflict of Interest in this matter.

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Information Systems dated 1996 November 8, respecting the above noted matter and approved the following:

(a) That the City of Hamilton participate in the Hamilton-Wentworth Information Network (HWIN) telecommunications project to provide a fibre optic link between downtown Hamilton and McMaster University provided that the HWIN grant request to the Ministry of Economic Development for the capital construction cost of the fibre optic link is successful; and,

(b) That the estimated annual cost ($2,000) of the City's share of maintenance of the fibre optic link be financed within the existing Information Systems budget; and,

(c) That the Mayor and City Clerk be authorized to execute any subsequent agreement between the HWIN partners that provides for the maintenance of the fibre link service; and,

(d) That the agreement be in a form satisfactory to the City Solicitor.

8. CHIEF ADMINISTRATIVE OFFICER - Hiring - Fire Chief

The Committee was in receipt of a report from the Chief Administrative Officer dated 1996 November 27, respecting the above noted matter.

The Committee approved the following:

(a) That the Chief Administrative Officer be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26; and,

(b) That a Staff Committee comprised of the Chief Administrative Officer, two members of the Corporate Management Team and a Fire Chief from a similarly sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,

(c) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1996 December 3

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Christopher Ridgewell	I	Sanitation Worker	Public Works & Traffic Services	Replacing Mr. T. Lacasse – transferred, Sept. 16/96	$36,670.40	Oct. 15/96
Mr. Chris Roketta	I	Rink Attendant I	Historical Outdoor sports	New Position Council Approved August 27, 1996	$36,780.64	Nov. 11/96

Prepared November 22, 1996

Status –

Internal – I
External – E

Appendix "A" referred to in Section 2 of the **TWENTIETH** Report of the Finance and Administration Committee for 1996

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Mark Antolich	Signs Markings Specialist	Public Works & Traffic	Resigned	1 year, 9 months	Nov. 08/96
Mr. Michael Atkinson	Platoon Chief	Fire	Retired	32 years, 2 months	Nov. 26/96
Mr. Douglas Downey	Lieutenant – Firefighter	Fire	Retired	35 years, 1 month	Nov. 28/96
Mr. Gary Forrester	Firefighter I	Fire	Retired	34 years, 6 months	Nov. 30/96
Mr. William Gibson	Firefighter I	Fire	Retired	34 years, 6 months	Nov. 28/96
Mr. Brian Kempton	Firefighter I	Fire	Retired	30 years, 1 month	Nov. 28/96
Mr. James Metham	Lieutenant – Firefighter	Fire	Retired	31 years, 11 months	Nov. 30/96
Mr. Ernest Mills	Lieutenant – Firefighter	Fire	Retired	30 years, 9 months	Nov. 26/96
Mr. Floriano Pereira	Greenskeeper II	Culture & Recreation	Retired	23 years, 5 months	Nov. 29/96
Mr. Carl Speight	District Chief	Fire	Retired	30 years, 1 months	Nov. 30/96
Mr. Gordon Talbot	Lieutenant – Firefighter	Fire	Retired	31 years, 1 month	Nov. 30/96
Mr. Albert Vandenakker	Platoon Chief	Fire	Retired	32 years, 2 months	Nov. 30/96

Prepared November 22, 1996

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1995 to December 31, 1995

	Total $	Indoor Recreation $	Outdoor Recreation $	Library Buildings & Materials $	Traffic Signals $	Parkland Acquisition $	Vehicles & Equipment $	Studies $	Engineering (area specific) $	Storm Water Retention $	Fire Stations $
Balance as at Jan. 01, 1995	$6,030,634	$1,742,843	$951,621	$659,889	$87,718	$0	$0	$0	$1,718,889	$0	$869,674
Development charges received or receivable	$823,914	$219,798	$138,364	$86,002	$13,657	$20,586	$5,379	$108	$221,692	$0	$118,328
Development charges refunded	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Interest earned	$411,356	$119,648	$66,999	$45,555	$5,650	$1,873	$489	$10	$114,959	$0	$56,173
	$7,265,904	$2,082,289	$1,156,984	$791,446	$107,025	$22,459	$5,868	$118	$2,055,540	$0	$1,044,175
Transferred to the capital fund	($15,000)	$0	$0	$0	($15,000)	$0	$0	$0	$0	$0	$0
Amounts allocated:											
1) Services Through Unsubdivided Lands	($1,718,889)	$0	$0	$0	$0	$0	$0	$0	($1,718,889)	$0	$0
2) Reduction of growth-related debt charges	($600,000)	($348,569)	($99,116)	$0	($18,946)	$0	$0	$0	$0	$0	($133,369)
Balance as at December 31, 1995	$4,932,015	$1,733,720	$1,057,868	$791,446	$73,079	$22,459	$5,868	$118	$336,651	$0	$910,806

Appendix "B" referred to in Section 9 of the **TWENTIETH** Report of the Finance and Administration Committee for 1996

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1996 November 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Safety Footwear - Tender Ref.#C16-2-96

RECOMMENDATION: That a Purchase Order be issued to Emille Shoes Ltd. Burlington, for the supply and delivery of Safety Footwear as and when required during 1997 to Purchasing Stores, being the lowest of four tenders received, in accordance with specifications issued by Purchasing and be financed through the Stores Inventory Account No. CH 56103 28999, as follows:

Mens and Ladies Kaufman Winter Boots	$74.86/pair
Mens 31" Kaufman Hip Waders	$68.98/pair
Mens Rubber Commuter Boots	$33.97/pair
Mens 8" Thinsulate Kaufman Boot	$78.63/pair
Ladies 8" Thinsulate Kaufman Boot	$77.22/pair
Mens and Ladies Terra Safety Shoe	$58.48/pair
Mens and Ladies Terra 6" Boot	$65.76/pair

All taxes extra

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Lowest of four (4) tenders received.

BACKGROUND: Summary of tender process as per attached schedule.

Tender Analysis – Safety Footwear
Various Departments
Reference C16–2–96

DESCRIPTION	QTY	EMILLE		MARKS WORK WAREHOUSE		LAWLOR SAFETY		SAFETY DEPOT	
Mens and Ladies Winter Boots "Kaufman" 640–7725	325	74.86	$24,330	89.99	$29,247	79.99	$25,997	87.99	$28,597
Mens Rubber Hipwaders 31" Kaufman–Gandy	300	68.98	$20,694	89.99	$26,997	70.99	$21,297	77.99	$23,397
Mens Rubber Commuter Kaufman 180–7530	300	33.97	$10,191	54.99	$16,497	35.99	$10,797	35.99	$10,797
Mens 8" Thinsulate Kaufman 500–0105	1000	78.63	$78,630	136.99	$136,990	82.99	$82,990	109.99	$109,990
Ladies 8" Thinsulate Kodiak 36881	25	77.22	$1,931	86.99	$2,175	80.25	$2,006	93.99	$2,350
Mens and Ladies Safety Shoes 17913G	200	58.48	$11,696	69.99	$13,998	73.99	$14,798	59.99	$11,998
Mens and Ladies 6" Thinsulate Terra Wildsider 18935H	125	65.76	$8,220	120.99	$15,124	67.00	$8,375	102.99	$12,874
TOTALS			$155,691		$241,027		$166,260		$200,002

B. (ii

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Ferguson Avenue South, between Main and King Streets
Financing

RECOMMENDATION:

That the City Treasurer be authorized to set up a Capital account to acquire lands for highway purposes from Canada Lands Company Limited at an estimated amount of $55,000 to be financed from the Reserve for Property Purchase, Account Centre No. CH 00102.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The details of the project are outlined in the letter of D. Lobo, Commissioner of Public Works & Traffic, dated 1996 December 13 to the Secretary, Transport and Environment.

NRA:jc

c.c. D. W. Vyce, Director Property Department
Attention: M. Watson, Manager, Real Estate Division
P. Noé Johnson, City Solicitor
E.M. Gill, Senior Director, Roads Department
Attention: G.S. Aston, Manager, Programming & Development Division
H. Milsome, Co-ordinator of Community Renewal

CITY OF HAMILTON

- RECOMMENDATION -

JAN

B. (iii)

DATE: 1997 January 6

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

229 Sherman Avenue South

(b) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/WDD

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	229 SHERMAN AVENUE SOUTH
	SERIAL NUMBER	03 02510 4730
	BRIEF LEGAL DESCRIPTION	PLAN 305 PART LOT 1
	DATE OF REGISTRATION	OCTOBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT424365
	REDEMPTION DATE	OCTOBER 24, 1997
	TOTAL ARREARS	$7,150.16

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this **day of** **1996, A.D.,**

CITY CLERK

MAYOR

B. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990**

RECOMMENDATION:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $68,947.83 be approved and charged to CH53316-24104 Tax Remissions.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A - See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of the Municipal Act, R.S.O. 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are only valid and therefore may only be heard and approved by Council provided that they comply with subsection (5) and that all applications have been confirmed and approved by the Regional Assessment Commissioner.

As the Regional Assessment Commissioner has confirmed and approved these appeals, I am recommending that the attached summary of tax appeal applications be approved and charged to the Tax Remissions Account.

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

REALTY

Application Number	Roll Number	Year	Appeal	Reason for Appeal	Tax Cancellation
940180	010 0910 1400	1992	C		0
950125	020 1390 5040	1994	E		2,665.30
950128	020 1540 7660	1993	D		215.35
950129	020 1540 7660	1994	D		215.33
950134	040 3325 8210	1993	C		12.44
950135	040 3325 8210	1994	C		14.65
950136	050 3850 6810	1994	C		17,316.63
950144	070 7420 1148	1994	E		33.72
950145	070 7420 1148	1993	E		33.72
950146	040 2870 1520	1994	C		0
950148	040 2830 6700	1994	C		113.19
950149	040 2850 0970	1994	C		491.15
960007	040 2840 5420	1995	D		1,069.85
960020	010 0820 5950	1995	C		401.57
960021	020 1560 2770	1994	G		545.89
960024	040 2860 2370	1995	C		492.36
		TOTAL REALTY			23,621.15

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

BUSINESS

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
940167	020 1510 0490 0030	1993	A	239.14
950005	040 3230 8190 0020	1994	B	0
950034	020 1310 6360 0020	1994	A	4,929.35
950079	020 1525 2050 0020	1994	B	1,144.27
950120	020 1220 0010 1050	1994	E	1,360.00
950121	020 1220 0010 1050	1993	E	1,360.10
950122	020 1220 0010 0750	1994	E	857.09
950123	020 1220 0300 0070	1993	E	151.12
950124	020 1220 0300 0070	1994	E	151.11
950126	020 1520 0010 0415	1994	E	756.05
950127	030 2150 0010 0020	1994	E	205.42
950130	020 1540 7660 0020	1993	E	358.92
950131	020 1540 7660 0020	1994	E	358.89
950137	050 3910 7300 0190	1994	A	0
950138	050 4410 0280 0261	1994	B	12.50
950139	050 4410 0280 0260	1994	B	110.69
950140	070 6320 8900 0140	1993	E	150.21
950141	070 6320 8900 0141	1993	E	28.33
950142	070 6320 8900 0141	1994	E	28.33
950143	070 6320 8900 0140	1994	E	158.19
950147	040 2870 1520 0020	1994	B	0
950150	040 3145 8370 0040	1993	A	429.11
950151	040 3050 0100 0020	1994	E	12,393.51
950152	040 3150 0310 1900	1994	E	1,877.09
950153	040 3150 0310 1900	1993	E	1,877.23
950154	020 1310 6750 0991	1993	E	85.39
960001	050 3910 3390 0020	1994	E	7,208.49
960006	040 2840 5420 0020	1995	A	270.47
960008	040 3210 0400 0020	1995	A	549.53
960012	050 4190 0700 0040	1994	E	1,603.20
960013	050 4190 0700 0040	1995	E	1,648.42
960014	030 2325 0700 0100	1995	E	769.58
960015	030 2325 0700 0100	1994	E	748.47

BUSINESS - Cont'd

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
960016	020 1445 2970 0010	1995	A	1,126.46
960017	020 1445 2970 0010	1994	A	513.26
960018	020 1510 0280 0090	1995	A	341.61
960019	020 1510 0280 0020	1995	A	893.95
960022	060 7210 5760 0075	1995	A	0
960023	050 4110 0340 0010	1995	B	631.20
		TOTAL BUSINESS		45,326.68
		TOTAL REDUCTION		68,947.83

1997 January 9
DJW/cls

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

JAN 9 1997

DATE: 1997 January 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P.Eng.
Chief Administrative Officer

John Johnston
Commissioner of Human Resources

SUBJECT: **United Brotherhood of Carpenters and Joiners of America, Local 18 (C-001-97)**

RECOMMENDATION:

a) That the amendment to the United Brotherhood of Carpenters and Joiners of America, Local 18, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton, and,

b) That the Fair Wage Schedule be amended to reflect this change.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be no financial implications for the Corporation.

BACKGROUND:
(Term of the Collective Agreement - May 1, 1995 - April 30, 1998)

Institutional, Commercial and Industrial Sector:

Carpenter

DATE	WAGES	PENSION	WELFARE
Previous	$26.49	$2.45	$1.65
May 1/95	$26.49	$2.45	$1.67
Foreman Differential			$2.25

Apprentice

DATE	WAGES	PENSION	WELFARE	
Previous	same as below		$1.65	
May 1/95	$10.60	$2.45	$1.67	1st 6 months
	$13.25	$2.45	$1.67	2nd 6 months
	$17.22	$2.45	$1.67	2nd year
	$19.87	$2.45	$1.67	3rd year
	$22.52	$2.45	$1.67	4th year

Acoustic/Drywall

DATE	WAGES	PENSION	WELFARE
Previous	$27.17	$2.20	$1.15
May 1/95	$26.49	$2.45	$1.67
Foreman Differential			$2.25
Lead Hand			$1.25

Apprentice

DATE	WAGES	PENSION	WELFARE	
Previous	$10.87	$2.20	$1.15	1st 750 hour period
	$13.59	$2.20	$1.15	2nd 750 hour period
	$16.30	$2.20	$1.15	3rd 750 hour period
	$19.02	$2.20	$1.15	4th 750 hour period
	$21.74	$2.20	$1.15	5th 750 hour period
	$24.45	$2.20	$1.15	6th 750 hour period
May 1/95	$10.60	$2.45	$1.67	1st 900 hour period
	$13.25	$2.45	$1.67	2nd 900 hour period
	$15.89	$2.45	$1.67	3rd 900 hour period
	$18.54	$2.45	$1.67	4th 900 hour period
	$21.19	$2.45	$1.67	5th 900 hour period
	$23.84	$2.45	$1.67	6th 900 hour period

Caulker (New Classification)

DATE	WAGES	PENSION	WELFARE
May 1/95	$24.52	$2.45	$1.67

Foreman Differential $2.25

Trainee

DATE	WAGES	PENSION	WELFARE	
May 1/95	$ 9.81	$2.45	$1.67	1st 750 hour period
	$12.26	$2.45	$1.67	2nd 750 hour period
	$14.71	$2.45	$1.67	3rd 750 hour period
	$17.16	$2.45	$1.67	4th 750 hour period
	$19.62	$2.45	$1.67	5th 750 hour period
	$22.07	$2.45	$1.67	6th 750 hour period

Hardwood Floor Layer

DATE	WAGES	PENSION	WELFARE
Previous	Same as below		$1.65
May 1/95	$26.49	$2.45	$1.67

Resilient Floor and Carpet Layer

DATE	WAGES	PENSION	WELFARE
Previous	$25.20	$2.20	$1.15
May 1/95	$24.52	$2.45	$1.67

Foreman Differential	$2.25
Lead Hand	$1.25

Apprentice (Hardwood Floor Layer)

DATE	WAGES	PENSION	WELFARE	
Previous	same as follows		$1.65	
May 1/95	$10.60	$2.45	$1.67	1st 6 months
	$13.25	$2.45	$1.67	2nd 6 months
	$17.22	$2.45	$1.67	2nd year
	$19.87	$2.45	$1.67	3rd year
	$22.52	$2.45	$1.67	4th year

Apprentice (Resilient Floor and Carpet Layer)

DATE	WAGES	PENSION	WELFARE	
Previous	$10.87	$2.20	$1.15	1st 6 months
	$13.59	$2.20	$1.15	2nd 6 months
	$17.66	$2.20	$1.15	2nd year
	$20.38	$2.20	$1.15	3rd year
	$23.09	$2.20	$1.15	4th year
May 1/95	$ 9.81	$2.45	$1.67	1st 6 months
	$12.26	$2.45	$1.67	2nd 6 months
	$15.94	$2.45	$1.67	2nd year
	$18.39	$2.45	$1.67	3rd year
	$20.84	$2.45	$1.67	4th year

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-002-97)

RECOMMENDATION:

That the attached listing of Appointments to and Terminations From Permanent positions with the Corporation to 1997 January 10 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Gary Beasley	I	District Chief	Fire	Replacing Mr. C. Speight – retired, Nov. 30/96	$66,992.60	Dec. 01/96
Mr. Robert Bell	I	District Chief	Fire	Replacing Mr. D. Factor – promoted, Dec. 01/96	$66,992.60	Dec. 01/96
Mr. Nick Brennan	I	Lieutenant	Fire	Replacing Mr. E. Mills – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Ross Brydges	I	Captain	Fire	Replacing Mr. G. Beasley – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. Robert Caudle	I	Captain	Fire	Replacing Mr. R. Bell – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. Steve Cox	I	Lieutenant	Fire	Replacing Mr. R. Brydges – promoted, Dec. 01/96	$57,934.32	Dec. 01/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Dove	I	District Chief	Fire	Replacing Mr. J. Mitchell – promoted, Dec. 01/96	$66,992.60	Dec. 01/96
Mr. David Factor	I	Platoon Chief	Fire	Replacing Mr. A. Vandenakker – retired, Nov. 30/96	$72,764.50	Dec. 01/96
Mr. Tom Fehr	I	Chief Operations Engineer	Property	Replacing Mr. W. Douglas – deceased, Sept. 10/96	$47,412.56 to $55,811.08	Sept. 11/96
Mr. David Fitzpatrick	I	Lieutenant	Fire	Replacing Mr. J. Metham – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Daniel Gagliardi	I	Lieutenant	Fire	Replacing Mr. G. Talbot – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Ms. Laurene Gandin	I	Lifeguard I	Culture & Recreation	Replacing Ms. M. Reilly – promoted, Nov. 11/96	$36,922.60 to $42,511.56	Nov. 18/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Grant	I	Lieutenant	Fire	Replacing Mr. D. Downey – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Jim Harvey	I	Signs & Markings Specialist	Traffic	Replacing Mr. M. Antolich – resigned, Nov. 08/96	$30,134.00 to $33,016.88	Dec. 23/96
Mr. Juris Makarewicz	I	Lieutenant	Fire	Replacing Mr. J. Martin – promoted, Dec. 01/96	$57,934.32	Dec. 01/96
Mr. John Martin	I	Captain	Fire	Replacing Mr. J. Dove – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. James Mitchell	I	Platoon Chief	Fire	Replacing Mr. M. Atkinson – retired, Nov. 30/96	$72,764.50	Dec. 01/96
Mr. Mark Orr	I	Sports Groundskeeper	Public Works	Replacing Mr. B. Carey – promoted, Oct. 18/96	$36,052.64	Nov. 18/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Kenneth Phillips	I	Lieutenant	Fire	Replacing Mr. M. Caudle – promoted, Dec. 01/96	$57,934.32	Dec. 01/96
Ms. Margaret Reilly	I	Program Organizer	Culture & Recreation	Replacing Mr. S. Lelievre – deceased, Sept. 30/96	$26,922.60 to $42,511.56	Nov. 18/96
Ms. Marilyn Simpson	I	Lifeguard II	Culture & Recreation	Replacing Ms. L. Gandin – promoted, Nov. 18/96	$34,156.20 to $39,374.92	Nov. 18/96
Mr. Wayne Thibodeau	I	Rink Attendant I	Culture & Recreation	New Position Council Approved August 27, 1996	$36,780.64	Dec. 04/96
Ms. Janet Vandehaar	I	Secretary	H.E.C.F.I.	Replacing Ms. M. Howarth – deceased June 17/96	$25,061.40 to $29,260.92	Dec. 09/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Garry Smith	Fire Chief	Fire	Retired	31 years	Dec. 31/96
Mr. John Whitwell	Accounting Clerk	H.E.C.F.I.	Resigned	7 years, 9 months	Nov. 29/96

Prepared January 10, 1997

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

D.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 January 16th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Federation of Canadian Municipalities - request for resolutions for consideration at FCM's National Board of Directors Meeting in 1997 March or at FCM's Annual Conference in 1997 June - letter dated 1996 December 12th

(b) Correspondence - Minister of Municipal Affairs and Housing respecting the City's 1997 Municipal Support Grant entitlement under the Municipal Support Program - letter dated 1996 December 19th

(c) Information Report - Treasurer - Impact of 1997 Reductions to O.M.S.P. Subsidies and Final Assessment Numbers - report dated 1996 December 20th

(d) Information Report - Fire Chief - Memorandum of Agreement - Hamilton Professional Fire Fighters Association, Local 288 - report dated 1996 December 5th

(e) Correspondence - Regional Clerk - Amendment to Regional Development Charges By-law - letter dated 1996 December 2nd

(f) Correspondence - City of Toronto - Proposed Amendments to the Family Support Act, Non-payment of Family Support Awards - letter dated 1996 November 26th

(g) Correspondence - City of Toronto - Bill 84 - The Fire Protection and Prevention Act, 1996 - letter dated 1996 November 25th

(h) Information Report - City Clerk - Bill 86 "The Better Local Government Act, 1996" - report dated 1996 December 11th

(i) Information Report - Commissioner of Public Works and Traffic - Tire Contract - report dated 1996 December 9th

(j) Communique - FCM - Urgent News on Infrastructure Program Extension - dated 1997 January 6th

(k) Correspondence - W. Murray McCulloch - Local Government - letter dated 1997 January 5th

(l) Information Report - Treasurer - Sale of Tax Arrears properties - report dated 1997 January 10th

(m) Correspondence - Director of Property - Real Estate Division of the Property Department Services to the Region for the Fourth Quarter of 1996 - letter dated 1997 January 13th

Susan K. Reeden.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

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CA4 ON HBL A05
C 51 F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL
FEB 4 1997
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 February 4
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **TREASURER**

   (a) Tax Registration - Administration Fee

   (b) Payment Proposal - Hamilton Firefighters Drum Corps Inc.

   (c) Procurement Cards Pilot Project

4. **TREASURER AND CITY SOLICITOR**

   Tax Exemption - Hamilton Society for the Prevention of Cruelty to Animals

5. **FIRE CHIEF**

   1997 Service Fee Schedule - Hamilton Fire Department

6. **REFERRAL FROM CITY COUNCIL**

Term of Office - City's appointee to the Hamilton Harbour Commission

7. **OTHER BUSINESS**

8. **ADJOURNMENT**

3. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 31

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Tax Registration - Administration Fees

RECOMMENDATION:

That the proposal to increase the administration fee charged on tax arrears properties after the one year redemption period has expired, from $ 400 to $ 885 effective January 1, 1997, be forwarded to the Committee of the Whole for consideration as part of the 1997 Current Budget Process.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Additional revenues of approximately $ 10,000 annually to cover actual costs of tax sale advertisements.

BACKGROUND:

In accordance with the Municipal Tax Sales Act, Tax Arrears Certificates are registered against properties with three or more years arrears of realty taxes. At the present time, a fee of $ 615 is charged upon registration to cover Registry Office fees and other administrative costs incurred in the first year. A further fee of $ 400 is charged after the one year redemption period has expired which was intended to cover direct advertising costs related to the tax sale process. The current fee schedule was approved by City Council in March 1995.

The Legislation provides that tax arrears properties which are being offered for sale by public tender must be advertised on four consecutive occasions in the local newspaper and once in the Ontario Gazette. The costs of advertising 25 properties for tax sale in 1996 amounted to approximately $ 20,000 or $ 800 per property. In addition, the City incurs costs

for other items such as corporate searches, cancellation certificates, vesting certificates and registration of deeds. The average cost for registering these documents appears to be in the range of $ 85 per property.

Accordingly, staff are recommending that the present tax registration fee of $ 400 which is charged upon expiration of the one year redemption period be increasd to $ 885 in order for the City to recover advertising costs and other direct costs associated with this process. The overall fee charged for a property where the taxes have not been paid after the one year redemption period would amount to $ 1,500.

c.c. P. Noé Johnson, City Solicitor

3. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 31

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Payment Proposal - Hamilton Firefighters Drum Corps Inc. - 175 Dartnall Road

RECOMMENDATION:

1) That the City Treasurer be authorized to accept the following financial arrangements for payments required under the interest free loan agreement between the City of Hamilton and the Hamilton Firefighters Drum Corps Inc. with respect to the property at 175 Dartnall Road:

a) The first two quarterly instalments for the year 1997 in the amount of $ 10,700 each be deferred to the end of the repayment period.

b) The monies equivalent to the first two payments for the year 1997 in the amount of $ 21,400 be applied to the outstanding balance of 1996 realty taxes applicable to 175 Dartnall Road and to provide for payment toward the 1997 taxes.

c) Commencing July 1, 1997, quarterly payments towards the interest free loan be reduced from an amount of $ 10,700 to an amount of $ 8,000.

2) That the City Solicitor be authorized and directed to prepare an amending agreement to the original 25 year lease agreement, between the City and the Hamilton Firefighters Drum Corps Inc., incorporating the amendments contained in Item 1(a) and Item 1(c) above.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The deferment of the first two quarterly instalments for 1997 and the reduction in the amount of the quarterly repayments will extend the repayment period approximately three

years and delay the City's recovery of the interest free loan.

BACKGROUND:

On June 19, 1995, the City of Hamilton entered into an agreement with the Hamilton Firefighters Drum Corps Inc. which provided for an interest free loan of $ 400,000 to assist them in financing part of the costs of construction of their Practice Facility Building. Under the terms of the agreement, on or before the first day of the quarter following the commencement of the use of the practice facility by the Drum Corps, quarterly payments of $ 10,700 were to be made to the City for a period of 38 consecutive quarters. The first quarterly instalment was due and payable April 1, 1996 and all quarterly instalments due under the terms of the agreement have been paid to date.

The agreement also provides that the tenant (Drum Corps) will pay all realty taxes applicable to the property. Based on initial estimates, the Drum Corps had budgeted an amount of approximately $ 8,500 annually; however, the actual 1996 realty taxes levied were $ 19,527.45. Due to the unexpected amount of the 1996 tax levy, monthly payments in the amount of $ 2,185 were negotiated with Treasury staff as the Drum Corps did not have sufficient funds available for a lump sum payment.

On December 19, 1996, the secretary of the Drum Corps wrote to the Chairman of the Finance & Administration Committee (see attached) requesting that the terms of the agreement be amended because they were experiencing temporary cash flow difficulties. They are requesting that the City defer the January and April 1997 instalments to the end of the agreement and utilize the equivalent amount toward the outstanding 1996 realty taxes and 1997 taxes as they come due. They have also requested that the City reduce the monthly instalments due under the agreement from $ 10,700 to $ 8,000 commencing July 1, 1997.

If the agreement is amended to provide for the requested deferral of two quarterly payments and the reduction in the quarterly instalments to $ 8,000 , the final payment of the loan will be extended approximately 3 years (from July 1, 2005 to October 1, 2008).

Should these amendments be approved, the Drum Corps executive have agreed to remit monthly payments commencing in May of 1997 which will pay the balance of the 1997 realty taxes by December 31, 1997.

Staff are recommending that the requested revisions be made to the agreement as these arrangements will allow the Drum Corps relief from their current cash flow difficulties and allow them to continue to operate in the long term at this location.

c.c. P. Noé Johnson, City Solicitor
D. Vyce, Director of Property

"Copy sent to A. Ross, Treasurer - 1997 January 2nd".

The Hamilton Firefighters Drum Corps Inc.

Canada's Firefighting Ambassadors

110 Leitch Drive,
Grimsby, ON
L3M-2V1

Alderman Robert Charters - Chairman,
Finance & Administration Committee
City of Hamilton,
City Hall,
71 Main Street West,
Hamilton, Ontario,
L8N-3T4

JAN 2 1997

December 19, 1996

Subject: **Hamilton Firefighters Drum Corps Building Repayment Proposal**

Dear Alderman Charters;

As per my letter of December 16, 1996 outlining the present cash-flow position of the Firefighters Drum Corps, we would request that your committee consider the following proposal in regards to modifications to the loan repayment schedule.

We propose:

1) Payments be reduced to $8,000 per calendar quarter, with extension of payment periods to compensate.

2) The January 1st., 1997 and the April 1st., 1997 payments be deferred to the end of the repayment period. Extended the repayment schedule by additional pay periods to compensate for the deferments.

3) The January 1st, 1997 and a portion of the April 1st. payment will be applied to our outstanding 1996 realty tax arrears. The January 1st. will already have been paid by the time this proposal is considered. If the proposal is approved, we request that the January 1st. payment be transferred to the Tax Department.

This relief period and the reduced load on our annual cash flow should be sufficient to see us through a very difficult next six months into an improved income position.

Thank You;

P. Mason

Peter Mason, Secretary

Referred to the Treasurer
App'd by Committee 1997 Jan. 21
App'd by Council .....

cc: Alderman Henry Merling
Chief Garry Smith
W.G. Gilchrist, Supervisor of Tax Collections
D.W. Vyce, Director of Property
Susan Reeder, Secretary, Finance & Administration Committee

CITY OF HAMILTON

- INFORMATION -

3. (c)

DATE: 1997 January 31

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Procurement Card Pilot Project

BACKGROUND:

As was approved at the Finance and Administration meeting of November 19, 1996, (copy of report attached), treasury staff are preparing to initialize the procurement card pilot project. At that meeting it was requested that it be reported back, prior to the issuance of the cards, which employees would be granted access to the program and what the spending limitations on each card holder would be.

Staff is making arrangements to issue forty three (43) cards to a cross section of departmental users. Additional cards will be made available to employees of local boards upon approval of the individual boards.

Operation time and money savings can be envisioned in an example such as follows:

> At 3:00 P.M. a Public Works crew is in the midst of completing the pouring of a concrete sidewalk. The concrete truck is at the job site and has sufficient concrete on board to complete the job that day. Unfortunately some of the lumber which was to be used to complete the forms has been damaged and is unusable. As opposed to sending an employee some six kilometres to the city stores, the foreman on site can go to the nearest lumber vendor. By doing so the job could conceivably be finished that day. Accordingly, there may be no need for overtime for any of the employees working on that job and no need for them to return to finish it the following day. In addition there would be no extra costs to bring the concrete supplier back to that site either on overtime that day or the next day to finish the job.

Operational advantages of this nature can be achieved employing less administrative resources while ensuring sufficient controls are adhered to within the system.

The attached table summarizes the names of each employee to be issued a card and is sorted by department and authority level within the department where applicable. Spending limits, in terms of transaction limits, daily total purchase limits and maximum monthly liability limits are included for each employee or group of employees. Lastly, any specific vendor type or commodity purchase restrictions are outlined for each of the employees or groups.

During the pilot project treasury staff will be monitoring the use of the cards through a review of the monthly statements and reports. As the pilot project continues and assuming the full scale use of the cards is implemented, the monthly reports can be further used to assist city staff in attaining the benefits of combined purchasing power and competitive advantages as these opportunities are uncovered within this information. In the event any unusual circumstance should arise a representative from the bank will be available to assist city staff in the resolution of those problems.

/TB

Allan C. Lowe

CITY OF HAMILTON TREASURY
PROCUREMENT CARD PILOT PROJECT
CARD USER PROFILES

Department/ Group/ User Name	Transaction Limit	Daily Limit	Monthly Maximum	Vendor/Commodity Resstrictions
PUBLIC WORKS (39)				Procurement Cards cannot be used to purchase:
Gibbs, Charlie; Superintendent Streets and Sanitation	$1,000	$1,000	$5,000	– Travel, car rental, meals, entertainment – extended rental or equipment leasing – contract services including maintenance, temporary help – computer hardware, including service and instalation – office equipment, furniture and supply – personal purchases of any kind
STREETS DIVISION (18)				
Farthing, Ron; General Foreman	$1,000	$1,000	$5,000	Cash withdrawl is prohibited
Major, Les; General Foremen	$1,000	$1,000	$5,000	All City of Hamilton conflict of interest policies apply
Foremen I				Purchases: (subject to the above restrictions)
Mancini; Tony	$500	$500	$2,500	a) of $500 or less can be made from any vendor
Bovaird, John	$500	$500	$2,500	b) exceeding $500 should be made from
Tompkins, Pat	$500	$500	$2,500	i) current open order vendors
Boyer, Don	$500	$500	$2,500	ii) any vendor, providing that two (2) competeing prices
Pyne, Bob	$500	$500	$2,500	have been sought out. In this case this information should be diarized.
Foremen II				c) should be logged by date, item purchased, total price and account number to be charged. Reatin all sales slips,
Campanella, Rick	$500	$500	$2,500	invoices with this log.
Yanke, Roger	$500	$500	$2,500	
DelConte, Rob	$500	$500	$2,500	
Guenther, Randy	$500	$500	$2,500	
Boutcher, Ron	$500	$500	$2,500	
McShane, John	$500	$500	$2,500	
Perry, Ty	$500	$500	$2,500	
Aldridge, Bob	$500	$500	$2,500	
Turner, John	$500	$500	$2,500	
Manning, Charlie	$500	$500	$2,500	
Capostango, Sam	$500	$500	$2,500	

CITY OF HAMILTON TREASURY
PROCUREMENT CARD PILOT PROJECT
CARD USER PROFILES

Department/ Group/ User Name	Transaction Limit	Daily Limit	Monthly Maximum	Vendor/Commodity Resstrictions
PUBLIC WORKS (Cont)				
SANITATION DIVISION (3)				
Marshall, Al; General Foreman	$1,000	$1,000	$5,000	
Kerwin, Harold; Foreman I	$500	$500	$2,500	
Brown, Everett; Foremen II	$500	$500	$2,500	
HORTICULTURE (1)				
Pook,Jim; Horticulturist	$1,000	$1,000	$5,000	
BEAUTIFICATION (4)				
Walton, Margaret; Gen. Foreman	$500	$500	$2,500	
Magdic, Steve; Foreman I	$500	$500	$2,500	
Duckworth,Bob; Foreman II	$500	$500	$2,500	
Weaver, Scott; Foreman II	$500	$500	$2,500	
FORESTRY (2)				
Jones, Kevin; Foreman I	$500	$500	$2,500	
Keenan, Chuck; Foreman II	$500	$500	$2,500	
PARKS DEVELOPMENT (3)				
Hess, Erik; Foreman	$1,000	$1,000	$5,000	
McNamara, Mike; Foreman	$500	$500	$2,500	
Smith, Gary; Foreman	$500	$500	$2,500	

CITY OF HAMILTON TREASURY
PROCUREMENT CARD PILOT PROJECT
CARD USER PROFILES

Department/ Group/ User Name	Transaction Limit	Daily Limit	Monthly Maximum	Vendor/Commodity Resstrictions
PUBLIC WORKS (Cont)				
PARKS MAINTENANCE (7)				
Pomfret, Darryl; Gen. Foreman	$1,000	$1,000	$5,000	
Dore, Al; Foreman I	$500	$500	$2,500	
Pierce, Don; Foreman I	$500	$500	$2,500	
Mackey, Jim; Foreman II	$500	$500	$2,500	
Watt, Ray; Foreman II	$500	$500	$2,500	
Dunn, Wayne; Foreman II	$500	$500	$2,500	
McFarland, Peter; Foreman II	$500	$500	$2,500	

CITY OF HAMILTON TREASURY
PROCUREMENT CARD PILOT PROJECT
CARD USER PROFILES

Department/ Group/ User Name	Transaction Limit	Daily Limit	Monthly Maximum	Vendor/Commodity Resstrictions
CULTURE & RECREATION (2)				Restrictions to all Culture & Recreation users:
Martires, Anthony; Food Services	$500	$1,000	$2,500	– see Public Works restrictions
Paweska, Peter; Fac. Supervisor	$500	$1,000	$2,500	
PROPERTY (2)				Restrictions to all Property users:
Krpan, Peter; Carpenter Forman	$500	$1,000	$5,000	– see Public Works restrictions
Capuapo, Carl; Ref A/C Forman	$500	$1,000	$5,000	

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1996 November 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Procurement Card Pilot Project

RECOMMENDATION:

a) That a pilot project, be undertaken with the Canadian Imperial Bank of Commerce, to evaluate the benefits and cost savings of introducing Procurement Cards.

b) That the City Treasurer report back to committee on the results of the pilot project.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

No additional funds are required for the pilot project.

BACKGROUND:

Since the beginning of this year Treasury Staff have been involved in a Shared Services Study with Price Waterhouse as consultant. All Treasury functions have been reviewed and several changes are being recommended. These changes are based on practices adopted by many companies looking for ways to cut administrative time, effort and costs. In reviewing these changes we feel that the introduction of Procurement cards can provide immediate benefit and would be recommended to be introduced at the City whether or not the Shared Services with the Region was approved.

purchasing dollars. Purchasing statistics gathered across industry groups also indicate 85% of total potential supplier population is used for one purchase per month or less. Typically all purchases are handled the same way, involving anywhere from 10 to 14 purchasing steps from requisitions, approvals, purchase orders, receiving etc.etc. The Purchasing card essentially cuts down these steps to as few as three and thus results in considerable savings in processing time for all the small value purchases.

The purchasing card is a specialized VISA card. There are three key elements that distinguish it from a regular VISA card:

A. Customized Authorization Controls

Various authorizations can be put in place, specific to each cardholder, to maintain adequate levels of control. Examples are as follows:

- Total $ purchase limit in a month
- Total $ purchase limit per transaction
- Total # of transactions in a month
- Card usage restricted to specific types of suppliers
- Overall Corporate limit
- Combinations of above

B. Comprehensive Reporting

There are a comprehensive selection of management report available. These reports assist in monitoring purchasing activity and encourage better decision making throughout the entire purchasing process. Reports are available on paper or electronic formats. Options such as frequency, detail and depth are selected, according to the organization's needs and are available 48 hours after statement cut-off.

C. Consolidated Billing and Payment.

By receiving one detailed statement per month and making one payment it eliminates the current practice of cutting many cheques against many invoices and matching purchase requisitions to purchase orders to packing slips.

The Benefits

The program provides benefits to all parties:

For the organization:
- A streamlined purchasing process, with resulting savings in costs and employee time.
- Flexibility to re-deploy employee resources to higher value tasks
- Improved information for strategic decision making regarding the purchasing process

For the cardholder:

- Improved efficiency from swift receipt of goods to reduced paperwork
- A sense of empowerment, without loss of management control of purchases.

For the supplier:
- Improved cash flow, with swift payment through the VISA network
- Reduced costs associated with invoicing, collections and accounts receivable reconciliation.

Cautions & Controls

The previously referenced authorization controls are adequate controls and ensure that there is no abuse of the system. The onus for checking that all purchases are duly authorized will be shifted to the Department Manager approving the payment each month. Employees using the card will have to understand that the cards are for City purchases only and any abuse will result in termination.

Pilot Project

It is being recommended that the City proceed with a pilot project with our current Bank, CIBC. The Bank will assist us in running the pilot in the following manner:

- Setting measurable objectives for the program, specific to the City
- Establishing a sub-credit limit for the total program
- Determining appropriate uses for the card
- Identifying appropriate cardholder's within the City
- Selecting authorization controls to be applied to each cardholder's card
- Designing a reporting structure best suited for the program
- Reviewing various billing and payment options
- Providing sample policy and procedures guidelines
- Providing sample employee and supplier correspondence

The pilot will run for three to five months at which time we will report back with recommendation on whether to permanently institute and expand the program or discontinue it.

c.c. J.G. Pavelka, Chief Administrative Officer

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 31 JAN 3 1 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

Allan C. Ross
Treasurer

SUBJECT: **Tax Exemption - Hamilton Society for the Prevention of Cruelty to Animals**

RECOMMENDATION:

(a) that the appropriate By-law to authorize an agreement under Section 210.1 of the Municipal Act with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility be enacted;

(b) that upon the passage of the By-law, the Mayor and Clerk be authorized to execute an Amending Contract satisfactory to the City Solicitor with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility;

(c) that upon passage of the By-law, the City Clerk shall give written Notice of the By-law to the Minister of Education and Training.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Humane Society taxes would be $57,118.19, based on the 1996 Assessment which includes the Educational and the Regional tax levies.

BACKGROUND:

The Hamilton Society for the Prevention of Cruelty to Animals provides facilities and staff for the protection, regulation and control of animals under a Contract with the City dated January 29, 1992.

The Province has recently amended the Municipal Act to authorize realty and education tax exemptions for persons who provide a municipal capital facility and services to a municipality. The Society has applied for a tax exemption under Section 210.1 of the Municipal Act.

ANALYSIS

Currently the Humane Society pays taxes on its new animal control shelter at 245 Dartnall Road, Hamilton. The Society provides the City with animal control services which, if provided by a municipal department would not lead to realty taxes on the Municipal Capital Facility. The Society had previously indicated that the taxes of their building would lead to an increase in the cost of providing the animal control services under the Contract. The taxes collected are distributed one quarter to the City, one quarter to the Region and one half to the School Board.

Section 210.1 authorizes a municipality to enter into an agreement with a provider of a defined Municipal Capital Facility. The protection, regulation and control of animals is a Municipal Capital Service as defined by the Regulation under the Municipal Act. Therefore, the City may enter into a contract with the Society for the provision of this service. Once the Amending Contract is executed, a further report will request the passage of a Tax Exemption By-law under Section 210.1 and the necessary notifications to other government agencies. At that time, an application under Section 442 of the Municipal Act will also be requested for the cancellation of the taxes for 1997.

The Regional Assessment Commissioner has indicated that the draft documents on the Humane Society's Municipal Capital Facility meet the requirements for a tax exemption under Section 210.1.

PNJ:LEF:as

THE HAMILTON
SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS

January 9, 1997

RECEIVED
JAN 18 1997
LAW DEPARTMENT

Mr. Alan Ross
Treasurer
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir,

This letter is to advise you that the Board of Directors of the Hamilton Society for the Prevention of Cruelty to Animals has authorized and instructed me to make application for Tax Exemption under Section 210.1 of the Municipal Act.

The application pertains to the municipal capital facility of the Animal Control Shelter located at 245 Dartnall Road in Hamilton. As you know, this facility was constructed to provide for the protection, regulation and control of animals in Hamilton.

Should you require further information, kindly contact me at your convenience.

Sincerely,

Cam Stableford
General Manager

cc. Patrice Noe Johnson, City Solicitor
Lorne Farr, Legal Department
Alderman Tom Jackson

245 Dartnall Road, Hamilton, Ontario L8W 3V9 · (905) 574-7722 Fax (905) 574-9087

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

To Authorize:

A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE HAMILTON SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

WHEREAS the Hamilton Society for the Prevention of Cruelty to Animals provides animal control services to the City of Hamilton under a Contract dated January 29, 1992;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the provision of services related to the protection, regulation and control of animals;

AND WHEREAS the City and the Society have proposed to enter into an Agreement to provide Municipal Capital Facilities for the protection, regulation and control of animals;

AND WHEREAS Council, on (specify), in adopting Section (specify) of the (specify) Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may enter into an agreement with The Hamilton Society for the Prevention of Cruelty to Animals for the provision, management and maintenance of the municipal capital facility known as The Hamilton Society for the Prevention of Cruelty to Animals animal control shelter at 245 Dartnall Road, Hamilton, Ontario.

2. The Clerk shall give written Notice of this By-law to the Minister of Education and Training.

PASSED this day of 1997.

CITY CLERK MAYOR

(1997) (specify) R.F.A.C. (specify), (specify)

5.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 23

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: G.L. Desjarlais
Acting Fire Chief

SUBJECT: 1997 Service Fee Schedule - Hamilton Fire Department

RECOMMENDATION:

That the proposed Service Fee Schedule, attached herewith and marked as Schedule "A" be forwarded to the Committee of the Whole for consideration as part of the 1997 Current Budget process.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Based on 1996 service requests, the increased annual revenue is projected to be $25,000. If approved for implementation on 1997 March 1 increased revenues for 1997 are estimated to be $21,000.

There are no staffing or legal implications.

BACKGROUND:

The proposed fee schedule is based on recovery of actual departmental costs to provide the services as previously identified in the 1995 Cost of Service Analysis prepared by David M. Griffith & Associates, Ltd.

Our departmental costs for existing services have not changed significantly since the submission of the Cost of Service Analysis report. Increases are being proposed for only a few of the services provided where costs have increased due to:

a) Ontario Fire Code Retrofit requirements which have implications with respect to inspection staff time spent on follow up and enforcement of the upgraded Code requirements; or

b) full cost recovery not being realized; or

c) policy changes instituted by Provincial Licencing Authorities (ie L.L.B.O.).

Four new service fees are included in Schedule A (attached) which reflect the principle of cost recovery. These services are currently being provided with no fee charged to the requester.

Schedule A's increases to existing fees reflect the cost of providing services which are consumer driven and fall outside our department's established inspection frequency. Inspection and file search requests are typically generated by law firms conducting property transactions and by organizations requiring Hamilton Fire Department clearance as a condition of Provincial licencing and/or funding.

The proposed establishment of fees for the four services for which fees are not presently charged is to recover costs associated with providing these services which benefit specific individuals and/or organizations, rather than our community as a whole.

All services referenced in Schedule A are provided as a result of requests from the private sector.

Table 1 (attached) compares revenue received for each service in 1996 with projected revenue for 1997 based on the number of requests in 1996.

Table 2 (attached) shows fees charged for open air burning permits by Hamilton-Wentworth Regional Area Fire Departments.

GLD/JRW/RDJ/so

attachments:

Schedule A	Hamilton Fire Department Service Fee Schedule
Table 1	Hamilton Fire Department Projected Revenue Increases
Table 2	Open Air Burning Permit Fees Charged by Hamilton-Wentworth Regional Area Fire Departments

SCHEDULE A

HAMILTON FIRE DEPARTMENT
SERVICE FEE SCHEDULE

Item #	Service	Present Fee (includes G.S.T.)	Proposed Fee (includes G.S.T.)	Change (includes G.S.T.)
1	Copy of fire response report	$19.26	$19.26	
2	File searches - outstanding work orders	$28.00 (G.S.T. n/a)	$40.00 (G.S.T. n/a)	$12.00 (G.S.T. n/a)
3	Inspection of private home day care facilities	$36.38	$36.38	
4	Inspection of foster care homes with capacity ≤ 4, and group homes with capacity ≤ 3	$36.38	$36.38	
5	Inspection of single family dwellings	$36.38	$36.38	
6	Inspection of two family dwellings	$36.38	$214.00	$177.62
7	Inspection of L.L.B.O. licence requests (indoor)	$117.70	$117.70	
8	Inspection of L.L.B.O. licence requests (patio)	$117.70	$53.50	- $64.20
9	Inspection of foster care homes with capacity > 4, and group homes with capacity > 3	$171.20	$171.20	
10	Inspection of residential buildings ≤ 3 storeys with ≥ 3 units / apartments	$374.50	$374.50	
11	Inspection of residential buildings 4, 5 or 6 storeys	$374.50	$642.00	$267.50
12	Inspection of licenced day care centres	$107.00	$107.00	
13	Inspection of non-residential buildings (shopping malls, industrial complexes, etc.) in terms of size / area: ≤ 4 storeys - small size > 4 storeys - small size > 4 storeys - medium size > 4 storeys - large size	 $171.20 $406.60 $481.50 $642.00	 $171.20 $406.60 $481.50 $642.00	
14	Inspection of residential buildings > 6 storeys: 6 - 11 storeys 12 - 18 storeys > 18 storeys	 $406.60 $481.50 $642.00	 $ 642.00 $ 856.00 $1,070.00	 $235.40 $374.50 $428.00
15	Requests for Fire Route establishment - new and review of existing		$160.50	$160.50
16	Requests for Environmental file searches		$300.00 (G.S.T. n/a)	$300.00 (G.S.T. n/a)
17	Open-air Burning requests		$107.00	$107.00
18	Request for clearance/status letters		$20.00 (G.S.T. n/a)	$20.00 (G.S.T. n/a)

TABLE 1
HAMILTON FIRE DEPARTMENT
PROJECTED REVENUE INCREASES

Item #	Service	# of 1996 Requests	Present Fee (includes G.S.T.)	1996 Revenue	1997 Proposed Fee (includes G.S.T.)	1997 Projected Revenue	Projected Revenue Change	Reason For Increase
1	Copy of fire response report	188	$19.26	$3,620.88	$19.26	$3,620.88	$0.00	
2	File searches - outstanding work orders	1,138	$28.00 (G.S.T. n/a)	$31,864.00	$40.00 (G.S.T. n/a)	$45,520.00	$13,656.00	Full cost recovery
3	Inspection of private home day care facilities	58	$36.38	$2,110.04	$36.38	$2,110.04	$0.00	
4	Inspection of foster care homes with capacity ≤ 4, and group homes with capacity ≤ 3	2	$36.38	$72.76	$36.38	$72.76	$0.00	
5	Inspection of single family dwellings	12	$36.38	$436.56	$36.38	$436.56	$0.00	
6	Inspection of two family dwellings	13	$36.38	$472.94	$214.00	$2,782.00	$2,309.06	Fire Code Retrofit & Full cost recovery
7	Inspection of L.L.B.O. licence requests (indoor)	60	$117.70	$7,062.00	$117.70	$7,062.00		
8	Inspection of L.L.B.O. licence requests (patio)	5	$117.70	$588.50	$53.50	$267.50	($321.00)	Policy change by L.L.B.O.
9	Inspection of foster care homes with capacity > 4, and group homes with capacity > 3	55	$171.20	$9.416.00	$171.20	$9,416.00	$0.00	
10	Inspection of residential buildings ≤ 3 storeys with ≥ 3 units / apartments	9	$374.50	$3,370.50	$374.50	$3,370.50	$0.00	
11	Inspection of residential buildings 4, 5 or 6 storeys	9	$374.50	$3,370.50	$642.00	$5,778.00	$2,407.50	Fire Code Retrofit & Full cost recovery
12	Inspection of licenced day care centres	13	$107.00	$1,391.00	$107.00	$1,391.00	$0.00	

TABLE 1
HAMILTON FIRE DEPARTMENT
PROJECTED REVENUE INCREASES

Item #	Service	# of 1996 Requests	Present Fee (includes G.S.T.)	1996 Revenues	1997 Proposed Fee (includes G.S.T.)	1997 Projected Revenue	Projected Revenue Change	Reason For Increase
13	Inspection of non-residential buildings (shopping malls, industrial complexes, etc.) in terms of size / area:							
	≤ 4 storeys - small size	2	$171.20	$342.40	$171.20	$342.40	$0.00	
	> 4 storeys - small size	0	$406.60	$0.00	$406.60	$0.00	$0.00	
	> 4 storeys - medium size	0	$481.50	$0.00	$481.50	$0.00	$0.00	
	> 4 storeys - large size	0	$642.00	$0.00	$642.00	$0.00	$0.00	
14	Inspection of residential buildings > 6 storeys:							Fire Code Retrofit & Full cost recovery
	6 - 11 storeys	1	$406.60	$406.60	$ 642.00	$642.00	$235.40	
	12 - 18 storeys	0	$481.50	$0.00	$ 856.00	$0.00	$0.00	
	> 18 storeys	0	$642.00	$0.00	$1,070.00	$0.00	$0.00	
15	Requests for Fire Route establishment - new and review of existing	10	n/a	$0.00	$160.50	$1,605.00	$1,605.00	Full cost recovery
16	Requests for Environmental file searches	5	n/a	$0.00	$300.00 (G.S.T. n/a)	$1,500.00	$1,500.00	Full cost recovery
17	Open-air Burning requests	10	n/a	$0.00	$107.00	$1,070.00	$1,070.00	Full cost recovery
18	Request for clearance/status letters	75	n/a	$0.00	$20.00 (G.S.T. n/a)	$1,500.00	$1,500.00	Full cost recovery

TABLE 2

OPEN AIR BURNING PERMIT FEES

CHARGED BY

HAMILTON-WENTWORTH REGIONAL AREA FIRE DEPARTMENTS

DEPARTMENT	FEE
HAMILTON	Proposed - $107.00 (Includes G.S.T.)
STONEY CREEK	Residential Occupancies $10.00 per month Commercial Occupancies $100.00 per request Fees are charged for responses to open air burning violations: Residential - $100 Commercial - $125 Industrial - $300
ANCASTER	n/a
DUNDAS	n/a
FLAMBOROUGH	n/a
GLANBROOK	n/a

6.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee	YOUR FILE:	
FROM:	Mr. J. J. Schatz City Clerk Office of the City Clerk	OUR FILE: PHONE:	 546-2727
SUBJECT:	Term of Office - City's appointee to the Hamilton Harbour Commission	DATE:	1997 January 29

This will confirm that City Council at its meeting held Tuesday, 1997 January 28th approved the following:

> That the Finance and Administration Committee be requested to review the relative merits of extending the current term of office of the City's appointee to the Hamilton Harbour Commission until December 1, 1997 in order that the term of this appointee is consistent with the term of office of members of City Council.

In this regard, would you please present this matter to your Committee for consideration.

Susan K. Reeder
per
J. Schatz.

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 February 4
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held on Tuesday, 1997 January 21st

B. **CHIEF ADMINISTRATIVE OFFICER**

Hamilton Corporate Challenge

C. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

Release of Development Covenants - 1342 Stone Church Road East

D. **CITY CLERK**

1997 Membership Invoice - Association of Municipalities of Ontario

E. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1997 January 21
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Alderman M. Kiss
Alderman D. Wilson
Alderman C. Collins
Alderman T. Anderson
Alderman D. Drury
Alderman V. J. Agro

Regrets: Mayor R. M. Morrow - City business

Also present: Alderman H. Merling
Alderman M. Caplan
Alderman W. McCulloch
Alderman G. Copps
J. Pavelka, Chief Administrative Officer
D. Lobo, Commissioner of Public Works & Traffic
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
C. Kerr, Treasury Department
M. Mascarenhas, General Manager, Non-Profit Housing
L. King, Building Commissioner
Acting Fire Chief Desjarlais
P. Lampman, Building Department
D. Vyce, Director of Property
J. Schatz, City Clerk
N. Catalano, Economic Development Department
M. Watson, Property Department, Real Estate Division
L. Bourns, Human Resources Centre
P. Baker, Hamilton Parking Authority
T. Bradbury, Treasury Department
Susan K. Reeder, Secretary

A G E N D A

DELEGATIONS

A. Art Gallery of Hamilton - Addition of artwork to the Irving Zucker Sculpture Court

The Committee was in receipt of correspondence from the Executive Director of the Art Gallery of Hamilton, dated 1996 November 18, respecting the above noted matter.

Ted Pietrzak, Executive Director of the Art Gallery and Diane Cizek, Chair of the Collection Committee of the Art Gallery were in attendance, and addressed the Committee.

The Committee approved the following:

(a) That approval be given to the Art Gallery of Hamilton to situate a sculpture entitled "Breath" by Canadian artist and sculptor John McEwen, in the Irving Zucker Sculpture Court on Commonwealth Square; and,

(b) That approval be given to the Art Gallery of Hamilton to move two sections of benches in the Sculpture Court for the placement of this sculpture at a cost to be paid by the Art Gallery.

B. **Hamilton Region Conservation Authority - Update on Current Projects and Issues/Request for support of their request to the Region for tax exemption for their Rail Trail project.**

The Committee was in receipt of correspondence from the General Manager of the Hamilton Region Conservation Authority dated 1996 November 18, respecting the above noted matter.

Ben Vanderbrug, General Manager of the Hamilton Region Conservation Authority and Alan Stacey, Board Member were in attendance and addressed the Committee.

A document entitled "Funding Sources for Conservation Authorities", as well as a Map of the Spencer Creek Watershed and information respecting The Spencer Creek Watershed Plan were distributed to members of the Committee.

The representatives from the Conservation Authority gave an overview of the Authority's projects. The representatives also spoke respecting the Authority's Rail Trail project and their request to the Region for a Realty Tax Exemption on the Rail Trail project lands.

As a result of discussions on this matter, it was agreed that this request would be referred to the Treasurer in order that he could review this issue and report back to the Committee at its next meeting on Tuesday, 1997 February 4th on the merits of the request to the Region under the Section 210.1 Legislation, and what the City's role should be in this regard.

ADDED - TREASURER - CITY OF HAMILTON - PROJECTED IMPACT OF PROVINCIAL INITIATIVES

The Treasurer provided a report on the projected impact of Provincial initiatives. Copies of the overhead presentation were circulated. The Committee agreed to receive this presentation as information.

1. **IN CAMERA AGENDA**

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. **CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - City of Hamilton -ats- Eileen Laslo; Ontario Court (General Division) Action #29000/91**

(a) That the City resolve Ontario Court (General Division) Action # 29000/91 by payment to the Plaintiff, Eileen Laslo, of the sum of $49,980.49 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 29000/91 be dismissed without costs.

BB. **CITY SOLICITOR**

(i) **Payment of Legal bill for defence in Civil Suit**

That pursuant to By-law 91-089, the invoice submitted by Douglas Hodgson, Turkstra Mazza Shinehoft Mihailovich Associates, for the City's Chief Administrative Officer in the amount of $5,753.76 and such future invoices satisfactory to the City Solicitor be charged to Account Number CH 55428-44001, Outside Counsel.

(ii) **City of Hamilton -ats- Frank Bufalino and Sons Construction Limited; Ontario Court (General Division) Action #34571/94**

That the City Offer to resolve all issues outstanding between itself and Frank Bufalino and Sons Construction Limited in Ontario Court (General Division) Action # 34571/94 on the following terms:

(a) That the City shall pay to the Plaintiffs, Frank Bufalino and Sons Construction Limited, the sum of $22,981.69; and,

(b) That the City shall pay to the Plaintiffs pre-judgment interest in accordance with the Courts of Justice Act on the sum of $22,981.69 from 1994 August 22, to the date of payment; and,

(c) That the City shall pay to the Plaintiff its Party/Party costs of this action which are related solely to the issue of the balance owing to the Plaintiff under the Contract with the City, such costs to be agreed or assessed; and,

(d) That Ontario Court (General Division) Action # 34571 be dismissed as against The Corporation of the City of Hamilton.

(iv) **City of Hamilton -v- Jockey Club Tavern Ltd.; Ontario Court (General Division) Action #22353/86**

That the City Offer to Settle all outstanding issues in Ontario Court of Appeal file No. C16095 in the following terms:

(a) That the Defendant shall pay to the City $38,212.75 representing one-third of the Judgement in this matter dated 1993 June 23; and,

(b) That the Defendant shall pay to the City the sum of $9,709. representing Post-Judgement Interest on $38,212.75; and,

(c) That the Defendant shall pay to the City its Party/Party costs of the original Action in the amount of $12,078.25; and,

(d) That the Defendant shall pay to the City one-third of all BIA levies from 1993 June 23 to date, together with one-third of all outstanding interest and penalties on such BIA levies, calculated as of 1997 February 14. That the City will accept the sums of money set out in this paragraph in equal monthly instalments over a period of twenty-four months, without further interest, and that upon final completion of payments the City will issue a Satisfaction Piece to the Defendant with respect to the monetary and cost provisions of the Judgment in Ontario Court (General Division) Action No. 2353/86; and,

(e) That forthwith after the acceptance of this Offer, the Defendant's Appeal to the Court of Appeal in File No. C16095 be dismissed without costs; and,

(f) That the City use its best efforts to amend the Ottawa Street BIA By-law (By-law 86-31) pursuant to the provisions of the Municipal Act, to reduce the BIA levy with respect to the Jockey Club Tavern Ltd, and/or its successor corporation, Oakwood Place Inc., by two-thirds. Subject to the prior receipt by the City of a written undertaking from the Defendant, or its successor corporation, in a form satisfactory to the City Solicitor, that it will not take any steps to appeal such amendment to the OMB or otherwise to attempt to use the occasion of the consideration of an amending by-law to have itself removed from the Ottawa Street BIA, or to seek a levy of a lesser amount than referred to in this Offer; and,

(g) That in the event that the Defendant fails to make any monthly payment referred to in paragraph (d), in full and on schedule, the whole remaining amount due pursuant to paragraph (d) shall become payable forthwith. In that event, should the Defendant fail to make full payment of the remaining balance due within thirty days, the City shall be entitled to rely upon and enforce the full amount of the Judgment in Action 2353/86, subject only to deduction of amounts already received from the Defendant; and,

(h) That the City shall lift its Execution in Ontario Court (General Division) Action 2353/86 on 1997 February 14, to enable the Defendant to complete certain financial transactions; and,

(i) That this Offer remain open for acceptance until withdrawn or until 4:59 p.m. on the last business day prior to the day upon which the hearing of this Appeal before the Ontario Court of Appeal proceeds, whichever first occurs.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1996 December 3rd, and approved these minutes as circulated.

B. TREASURER

(i) Safety Footwear - Tender awarding

The Committee was in receipt of a report from the Treasurer dated 1996 November 28, respecting the above noted matter.

The Committee approved the following:

That a Purchase Order be issued to Emille Shoes Ltd., Burlington, for the supply and delivery of Safety Footwear as and when required during 1997 to Purchasing Stores, being the lowest of four tenders received, in accordance with specifications issued by Purchasing and be financed through the Stores Inventory Account No. CH 56103 28999, as follows:

Mens and Ladies Kaufman Winter Boots	$74.86/pair
Mens 31" Kaufman Hip Waders	$68.98/pair
Mens Rubber Commuter Boots	$33.97/pair
Mens 8" Thinsulate Kaufman Boot	$78.63/pair
Ladies 8" Thinsulate Kaufman Boot	$77.22/pair
Mens and Ladies Terra Safety Shoe	$58.48/pair
Mens and Ladies Terra 6" Boot	$65.76/pair

All taxes extra

(ii) Funding - Proposed Purchase - land on Ferguson Avenue South, between Main and Kings Streets

The Committee was in receipt of a report from the Treasurer dated 1997 January 13, respecting the above noted matter and approved the following:

That as referred to in Section 18 of the First Report for 1997 of the Transport and Environment Committee, the City Treasurer be authorized to set up a Capital account to acquire lands for highway purposes from Canada Lands Company Limited, located at Ferguson Avenue South, between Main and King Streets, at an estimated amount of $55,000. to be financed from the Reserve for Property Purchase, Account Centre No. CH 00102.

(iii) **Authorization to Enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears**

The Committee was in receipt of a report from the Treasurer dated 1997 January 6, respecting the above noted matter and approved the following:

(a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owner of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

229 Sherman Avenue South

(b) That a by-law to authorize the said Extension Agreement be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.

(iv) **Tax Applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45, Statutes of Ontario, 1990**

The Committee was in receipt of a report from the Treasurer dated 1997 January 10, respecting the above noted matter and approved the following:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $68,947.83 be approved and charged to CH53316-24104 Tax Remissions.

C. **COMMISSIONER OF HUMAN RESOURCES AND CHIEF ADMINISTRATIVE OFFICER**

(i) **United Brotherhood of Carpenters and Joiners of America - Local 18 - Receipt of Amended Collective Agreement**

The Committee was in receipt of a joint report from the Commissioner of Human Resources and the Chief Administrative Officer dated 1997 January 7, respecting the above noted matter.

The Committee approved the following:

(a) That the amendment to the United Brotherhood of Carpenters and Joiners of America, Local 18, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,

(b) That the Fair Wage Schedule be amended to reflect this change.

(ii) **Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1997 January 10th**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1997 January 10, respecting the above noted matter.

The Committee approved the following:

That the listing of Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1997 January 10, attached herewith and marked Appendix "A", be approved.

D. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 January 16, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Federation of Canadian Municipalities - request for resolutions for consideration at FCM's National Board of Directors Meeting in 1997 March or at FCM's Annual Conference in 1997 June - letter dated 1996 December 12th

(b) Correspondence - Minister of Municipal Affairs and Housing respecting the City's 1997 Municipal Support Grant entitlement under the Municipal Support Program - letter dated 1996 December 19th

(c) Information Report - Treasurer - Impact of 1997 Reductions to O.M.S.P. Subsidies and Final Assessment Numbers - report dated 1996 December 20th

(d) Information Report - Fire Chief - Memorandum of Agreement - Hamilton Professional Fire Fighters Association, Local 288 - report dated 1996 December 5th

(e) Correspondence - Regional Clerk - Amendment to Regional Development Charges By-law - letter dated 1996 December 2nd

(f) Correspondence - City of Toronto - Proposed Amendments to the Family Support Act, Non-payment of Family Support Awards - letter dated 1996 November 26th

(g) Correspondence - City of Toronto - Bill 84 - The Fire Protection and Prevention Act, 1996 - letter dated 1996 November 25th

(h) Information Report - City Clerk - Bill 86 "The Better Local Government Act, 1996" -report dated 1996 December 11th

(i) Information Report - Commissioner of Public Works and Traffic - Tire Contract - report dated 1996 December 9th

(j) Communique - FCM - Urgent News on Infrastructure Program Extension - dated 1997 January 6th

(k) Correspondence - W. Murray McCulloch - Local Government - letter dated 1997 January 5th

(l) Information Report - Treasurer - Sale of Tax Arrears properties - report dated 1997 January 10th

(m) Correspondence - Director of Property - Real Estate Division of the Property Department Services to the Region for the Fourth Quarter of 1996 - letter dated 1997 January 13th

3. **FOUNDING BOARD - GREATER HAMILTON DOWNTOWN COMMUNITY DEVELOPMENT CORPORATION - The Downtown Hamilton Partnership**

The Committee was in receipt of a report from the Secretary of the Greater Hamilton Downtown Community Development Corporation's Founding Board dated 1997 January 9, respecting the above noted matter.

The Committee approved the following:

(a) That the document "Strong Medicine - A Prescription for the Heart of Hamilton-Wentworth", previously sent to all members of City Council and available from the Committee Secretary upon request, be approved as a guideline for discussion on Downtown Revitalization; and,

(b) (i) That the Downtown Partnership be established by the City of Hamilton in conjunction with the Regional Municipality of Hamilton-Wentworth as the means of implementing the Strategy; and,

(ii) That the Terms of Reference, attached herewith and marked Appendix "B", for the Downtown Partnership be approved; and,

(c) That the area for downtown revitalization, defined as the Downtown Core, from Victoria Avenue to Queen Street and from Cannon Street to Hunter Street be accepted; and,

(d) That the first year operational budget for the Downtown Partnership be equally shared between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth and be included in the respective 1997 budget discussions; and,

(e) That this entity be established as "The Downtown Hamilton Partnership" pursuant to the provisions of The Municipal Act or other appropriate legislation, in a form satisfactory to the City Solicitor including the possibility of sponsoring a community economic development corporation to facilitate venture capital assistance or other community development initiatives; and,

(f) That an Interim Downtown Co-ordinator be appointed from existing staff complement of the City of Hamilton.

4. **CHIEF ADMINISTRATIVE OFFICER**

(a) The Downtown Hamilton Partnership

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 January 16, respecting the above noted matter.

The Committee approved the following amended resolution:

(a) That the Chairman of the Finance and Administration Committee be appointed on an interim basis as Chairman of the Downtown Partnership Board to facilitate identification of the membership of the Partnership and of the various Task Forces; and,

(b) That this resolution be referred to the Region of Hamilton-Wentworth for adoption.

(b) **Appointment of Acting Fire Chief**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 January 15, respecting the above noted matter.

The Committee directed that the standard recommendation to proceed with the hiring of a new Fire Chief be approved and forwarded to City Council for approval.

The Committee approved the following amended resolution:

(a) That effective 1997 January 1, Deputy Chief Gil Desjarlais be appointed Acting Fire Chief until the appointment of the City's new Fire Chief; and,

(b) That the Chief Administrative Officer be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26th; and,

(c) That a Staff Committee comprised of the Chief Administrative Officer, two members of the Corporate Management Team and a Fire Chief from a similarly sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,

(d) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.

(c) **Reclassifications - Building Commissioner and the General Manager of Non-Profit Housing**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Commissioner of Human Resources dated 1997 January 15, respecting the above noted matter.

Some discussion ensued on this matter, and the Committee approved the following:

(a) That the Building Commissioner's position be reclassified from its present salary level "D" to salary level "B"; and,

(b) That the General Manager of Non-Profit Housing's position be reclassified from its present salary level "J" to salary level "H".

5. TREASURER

(a) **Sale of Tax Arrears Properties - 1996 November 26**

The Committee was in receipt of a report from the Treasurer dated 1997 January 15, respecting the above noted matter and approved the following:

(a) That in accordance with the policy approved by City Council on 1996 October 29, for properties vested with the City on tax sale, the tax arrears applicable to the following properties be written off as uncollectible:

405 Hess Street South	$	1,917.19
87 King Street East		72,624.41
89 King Street East		200,316.58
226 1/2 Grosvenor N.		12,114.42
71 Horning		2,432.33

(b) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102; and,

(c) That the Region and the Board of Education's share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

(b) Realty and Business Tax Prelevy Mill Rates for 1997

The Committee was in receipt of a report from the Treasurer dated 1997 January 7, respecting the above noted matter and approved the following:

That the prelevy residential and non-residential mill rates for 1997 be established at figures slightly below 50% of the 1996 respective mill rates as follows:

(a) (i) That a real property tax prelevy mill rate of 210 mills be established for 1997 to be billed in two instalments of 105.0 mills each, payable 1997 February 28 and March 31. This prelevy rate represents 49.985% of the 1996 residential mill rate; and,

(ii) That a business tax prelevy mill rate of 247 mills be established for 1997 to be billed in one instalment, payable 1997 February 28. This prelevy rate represents 49.973% of the 1996 non-residential mill rate; and,

(b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1996 charge, to be billed in two equal instalments, payable 1997 February 28 and March 31.

(c) Requested Information Report - One Hour Free Downtown Parking

The Committee was in receipt of an Information Report from the Treasurer dated 1997 January 10, respecting the above noted matter.

Some discussion ensued with respect to this report, and the Committee agreed to receive this document for information.

6. CITY SOLICITOR AND TREASURER - 606 Aberdeen Avenue - Rothwell Properties - Tax Collection Procedures

The Committee was in receipt of a report from the City Solicitor and the Treasurer dated 1997 January 10, respecting the above noted matter.

The Committee approved the following:

That the City enter into an agreement with the Province of Ontario, as negotiated with the Province, attached herewith and marked Appendix "C", to hold the City harmless for environmental degradation on 606 Aberdeen Avenue, in the event that the tax sale to recover tax arrears is unsuccessful, resulting in the vesting of the property with the City of Hamilton.

7. ALDERMAN D. DRURY - Licencing Fees

The Committee was in receipt of correspondence from Alderman D. Drury dated 1996 November 26, respecting Increase in Licence Fees.

(a) Information Report - City Clerk - Business Licenses and Increase in Fees

The Committee was in receipt of an Information Report from the City Clerk dated 1996 November 26, respecting the above noted matter.

As a result of the discussion on this issue, the Committee agreed that this matter should be referred to the City Clerk in order that he can report back to the Committee following a review of the current licensing practices and the merits of these licences; the need for annual renewal of licences as well as the merits of a twelve month licence coverage rather than the current practice of year end renewal for all licences.

8. BUILDING COMMISSIONER

(a) Development Charges Complaint - 82-90 Stinson Street

The Committee was in receipt of a report from the Chairman of the Development Charges Staff Sub-Committee dated 1997 January 14, respecting the above noted matter.

A delegation representing the Humana House Non Profit Housing Corporation were in attendance to speak to the Committee respecting this matter. The representatives also spoke about another property they are working with on Locke Street South. It was indicated by staff that the property on Locke Street South was not ready yet, but would be coming to a future meeting.

With respect to the Development Charges Act complaint for the property at 82-90 Stinson Street, the staff recommendation was to confirm the charges imposed.

The Committee amended the staff recommendation to agreed to waive the charges, and approved the following:

> That after hearing the evidence and submission of the complainant, Hanne Card, Humana House Non Profit Housing Corporation Inc, the Council of the City of Hamilton hereby waives the development charges imposed on the property located at 82-90 Stinson Street pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of $2,432.76.

(b) Integrated Management and Tracking System for Building Department

The Committee was in receipt of a report from the Building Commissioner dated 1997 January 13, respecting the above noted matter. The Committee was also in receipt of a report from the Treasurer dated 1997 January 13th respecting the financing.

The Committee approved both of the above noted reports as follows:

(a) That the allocation for project No. 7 in the 1995 Capital Budget described as An Automated Building Permit Tracking System be increased by $84,000 from $250,000 to $334,000; and,

(b) That approval be given to issue a purchase order to CSDC Systems, Mississauga, Ontario in the amount of $260,000 for the supply and installation of an Integrated Management and Tracking System being the lowest acceptable proposal received in accordance with specifications issued by the Purchasing Division (ref. C1-1-96); and,

(c) That the increased cost of $84,000 for the Automated Building Permit Tracking System, Account Centre No. CF 509551017 from $250,000 to $334,000 be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.; and,

(d) That the Mayor and the City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

(c) Development Charges By-law 95-176 - 1997 Rate Increase

The Committee was in receipt of a report from the Chairman of The Development Charges Sub-Committee dated 1997 January 14, respecting the above noted matter, and approved the following:

(a) That the development charges imposed under Development Charges By-law 95-176 be increased by 1.7% to reflect increased construction costs; and,

(b) That Section 8(1) of By-law 95-176 be adjusted as follows:

Type of Residential Unit		Per Unit
(i)	Single detached dwelling, semi-detached dwelling, row dwelling	$1,592.05
(ii)	Two or more bedroom apartment	909.75
(iii)	Bachelor and one bedroom apartment	454.87

(c) That Section 8(2) of By-law 95-176 be adjusted as follows:

Type of Residential Unit		Per Unit
(i)	Single detached dwelling, semi-detached dwelling, row dwelling	$ 211.97
(ii)	Two or more bedroom apartment	121.12
(iii)	Bachelor and one bedroom apartment	60.56

Note: Alderman Agro opposed

9. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(a) Award of Contract - Central Utilities Plant - Chiller Overhaul

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 January 10, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order in the amount of $88,917 inclusive of GST ($5,817) to Trane Inc., Hamilton District Office to supply labour and materials to perform a major overhaul on the three centrifugal refrigeration chillers located within the Central Utilities Plant, this being the only acceptable tender received in accordance with the specifications (Ref: C14-21-96) issued by the Purchasing Division; and,

(b) That this expenditure be financed from Capital Budget Account CF 319641027 Convert Air Conditioning Equipment.

(b) **Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 January 10, respecting the above noted matter.

The Committee approved the following:

(a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 000 Upper James Street (Parts 2 and 3 on Plan 62R-10945). Landlocked vacant parcel - east side of Upper James between Rymal and Stone Church; and,

(ii) 644 Barton Street East; and,

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

(c) **Proposed Lease Agreement - Part of 80 Arkledun Avenue**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 January 13, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton enter into a Lease Agreement with David Michael Howitt, Elizabeth Howitt, Richard Wilson and Ann Riches to lease part of the City lands at 80 Arkledun Avenue, being an irregular shaped parcel of City lands approximately 55.74 square metres (600 square feet) more or less, fronting on Arkledun Avenue, Hamilton; and,

(b) That the Lease Agreement contain the following terms and conditions:

(i) Term - Commencing 1997 April 1 and terminating 2002 March 31; and,

(ii) Rent - $300 per year plus any applicable taxes to be credited to Account No. CH 44104 31106 (Miscellaneous Rentals); and,

(iii) Use - That the Lease Agreement shall be solely for vehicle parking purposes; and,

(iv) Maintenance - The Lessee to be solely responsible for all maintenance costs associated with the subject lands; and,

(c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

10. ACTING FIRE CHIEF - Memorandum of Agreement - 1995 - Hamilton Professional Fire Fighters Association, Local 288

The Committee was in receipt of a report from the Acting Fire Chief dated 1997 January 13, respecting the above noted matter, and approved the following:

(a) That Council approve the 1995 Memorandum of Agreement between the City of Hamilton and the Hamilton Professional Fire Fighters Association, Local 288; and,

(b) That the term for the agreement is 1995 January 1 to 1995 December 31.

11. CORRESPONDENCE - The Hamilton Firefighters Drum Corps - Repayment Proposal

The Committee was in receipt of correspondence from the Hamilton Firefighters Drum Corps Inc. dated 1996 December 19, respecting the above noted matter.

Alderman Merling, as well as a representative of the Firefighters Drum Corp were in attendance. Alderman Merling spoke to this matter and asked that the Treasurer review the proposal and report back to the Committee.

The Committee agreed with Alderman Merling's request and requested that the Treasurer report back to them on the payment proposal made by the Hamilton Firefighters Drum Corps.

12. OTHER BUSINESS

ADDED - CORRESPONDENCE - DUNCAN BEATTIE - CITY'S APPOINTEE TO THE HAMILTON HARBOUR COMMISSION

Correspondence from Duncan Beattie, the City's appointee to the Hamilton Harbour Commission dated 1997 January 2nd was presented to the Committee. Mr. Beattie advised that his term of office will expire on 1997 March 31st, and that he will not be seeking a further term of office. Mr. Beattie indicated that he would be willing to continue on a month to month basis, no later than 1997 December.

Considerable discussion ensued. A motion was made to extend Mr. Beattie's term on a month to month basis until no later than 1997 December. Motion LOST.

The Committee then approved that the normal process of seeking applications for this appointment should be followed.

ADDED - CITY CLERK - Use of the name "Hamilton" - Hamilton Cultural and Ethnic Mosiac Association

The Committee was in receipt of an added report from the City Clerk dated 1997 January 17, respecting the above noted matter, and approved the following:

That City Council consent to the use of the name "Hamilton" in the proposed registering of the name "Hamilton Cultural and Ethnic Mosiac Association".

ADDED - CITY CLERK - FCM Diamond Jubilee Conference - Ottawa/Carleton - 1997 June 6 - 9

The Committee was in receipt of an added report from the City Clerk dated 1997 January 17, respecting the above noted matter, and approved the following:

That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the Diamond Jubilee Conference of the Federation of Canadian Municipalities to be held in Ottawa/Carleton on 1997 June 6 - 9.

13. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1997 January 21

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Gary Beasley	I	District Chief	Fire	Replacing Mr. C. Speight – retired, Nov. 30/96	$66,992.60	Dec. 01/96
Mr. Robert Bell	I	District Chief	Fire	Replacing Mr. D. Factor – promoted, Dec. 01/96	$66,992.60	Dec. 01/96
Mr. Nick Brennan	I	Lieutenant	Fire	Replacing Mr. E. Mills – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Ross Brydges	I	Captain	Fire	Replacing Mr. G. Beasley – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. Robert Caudle	I	Captain	Fire	Replacing Mr. R. Bell – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. Steve Cox	I	Lieutenant	Fire	Replacing Mr. R. Brydges – promoted, Dec. 01/96	$57,934.32	Dec. 01/96

Prepared January 10, 1997

Status –

Internal – I
External – E

Appendix "A" as referred to in Section 11 of the FIRST Report of the Finance and Administration Committee for 1997.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Dove	I	District Chief	Fire	Replacing Mr. J. Mitchell – promoted, Dec. 01/96	$66,992.60	Dec. 01/96
Mr. David Factor	I	Platoon Chief	Fire	Replacing Mr. A. Vandenakker – retired, Nov. 30/96	$72,764.50	Dec. 01/96
Mr. Tom Fehr	I	Chief Operations Engineer	Property	Replacing Mr. W. Douglas – deceased, Sept. 10/96	$47,412.56 to $55,811.08	Sept. 11/96
Mr. David Fitzpatrick	I	Lieutenant	Fire	Replacing Mr. J. Metham – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Daniel Gagliardi	I	Lieutenant	Fire	Replacing Mr. G. Talbot – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Ms. Laurene Gandin	I	Lifeguard I	Culture & Recreation	Replacing Ms. M. Reilly – promoted, Nov. 11/96	$36,922.60 to $42,511.56	Nov. 18/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Grant	I	Lieutenant	Fire	Replacing Mr. D. Downey – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Jim Harvey	I	Signs & Markings Specialist	Traffic	Replacing Mr. M. Antolich – resigned, Nov. 08/96	$30,134.00 to $33,016.88	Dec. 23/96
Mr. Juris Makarewicz	I	Lieutenant	Fire	Replacing Mr. J. Martin – promoted, Dec. 01/96	$57,934.32	Dec. 01/96
Mr. John Martin	I	Captain	Fire	Replacing Mr. J. Dove – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. James Mitchell	I	Platoon Chief	Fire	Replacing Mr. M. Atkinson – retired, Nov. 30/96	$72,764.50	Dec. 01/96
Mr. Mark Orr	I	Sports Groundskeeper	Public Works	Replacing Mr. B. Carey – promoted, Oct. 18/96	$36,052.64	Nov. 18/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Kenneth Phillips	I	Lieutenant	Fire	Replacing Mr. M. Caudle – promoted, Dec. 01/96	$57,934.32	Dec. 01/96
Ms. Margaret Reilly	I	Program Organizer	Culture & Recreation	Replacing Mr. S. Lelievre – deceased, Sept. 30/96	$26,922.60 to $42,511.56	Nov. 18/96
Ms. Marilyn Simpson	I	Lifeguard II	Culture & Recreation	Replacing Ms. L. Gandin – promoted, Nov. 18/96	$34,156.20 to $39,374.92	Nov. 18/96
Mr. Wayne Thibodeau	I	Rink Attendant I	Culture & Recreation	New Position Council Approved August 27, 1996	$36,780.64	Dec. 04/96
Ms. Janet Vandehaar	I	Secretary	H.E.C.F.I.	Replacing Ms. M. Howarth – deceased June 17/96	$25,061.40 to $29,260.92	Dec. 09/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Garry Smith	Fire Chief	Fire	Retired	31 years	Dec. 31/96
Mr. John Whitwell	Accounting Clerk	H.E.C.F.I.	Resigned	7 years, 9 months	Nov. 29/96

Prepared January 10, 1997

Glossary of Terms

Terminated – long term disability – discharge – downsizing – redundant	Resigned – personal betterment – personal reasons

Appendix "B" as referred to
in Section 12 of the FIRST
Report of the Finance and
Administration Committee for 1997.

TERMS OF REFERENCE - DOWNTOWN PARTNERSHIP

A. MANDATE

To create a downtown community where people wish to live, work and visit.

To co-ordinate, initiate and advise on strategic actions, programs and plans which address the revitalization of the Downtown Core of Hamilton. This is an alliance of the City, Region and Private Sector.

This will be achieved through the co-ordination, development and establishment of a strategic vision and action plan for the downtown; identification and viable initiatives in the downtown; undertake, broker, promote and support public and private actions which implement the initiatives established; and liaise in activities of all levels of government, special interest groups and agencies, private interests and the public.

B. GOALS AND OBJECTIVES

1. Implement marketing programs which address the entire downtown area. Most programs have focused on individual buildings, areas or B.I.A.'s. The Partnership will allow for the development and implementation of a comprehensive marketing program for the downtown as a whole. Specific goals include:

    - the creation of advertisements and the communication of awareness of downtown events and activities at Copps Coliseum, Hamilton Place, duMaurier Theatre, Trade and Convention Centre, etc;

    - the development of a cluster marketing program and recruitment of retail \ boutique retailers, dining \ cafe establishments in the downtown core;

    - strengthening and building on existing linkages between the downtown business interests and government in the downtown;

    - the development and promotion of a clean, safe and friendly downtown;

    - a safe, accessible and "no charge \ low-cost" parking program for shopping patrons;

    - the promotion of new and existing service oriented businesses in the downtown;

- the preparation of a long term vision for the downtown community to create a broad, understandable framework with which individual's initiative can be assessed.

- the commitment to changing public perception of the downtown through increased downtown tourism activities and celebration programs.

2. Assist and encourage investment and development in the downtown through actions such as:

   - generation of public and private interests in developing and relocation projects in the downtown;

   - promotion of the downtown to those with investment interests;

   - creation, encourage and facilitate public \ private venture development initiatives;

   - creation of a clean, safe and attractive living environment;

   - encourage new residential development in the downtown; covering a wider range of housing types and income group;

   - attracting new and unique businesses into the downtown.

3. Generate new and expand existing events in the downtown with the aim of maintaining and increasing tourism, conventions and trip destinations into the downtown through actions including:

   - community economic development initiatives;

   - creation and promotion of special theme events;

   - co-ordinating the activities of special event programs of the BIA's and Jackson Square;

   - raising public awareness of downtown business and services.

4. Lobbying for special legislation and government responses to problems identified in the downtown. The Partnership can act as a "voice" for downtown by acting on behalf of all interest groups within the downtown, rather than leaving every group to address their own concerns.

5. Investigate means of financing initiatives in the downtown core through the public and private sectors, including micro-business and single entrepreneurship efforts in cooperation with the YMCA, BAC and others.

D. MEMBERSHIP

The Board would be comprised of members of:

a) the Chairman of the task forces (4)
b) Private Sector members (7)
c) Mayor and Regional Chairman as ex-officios, non-voting observers.

Total: 11

E. REPORTING STRUCTURE

The Board would meet as required to review proposals from task forces and other stakeholders, and to provide direction and monitoring of initiatives. Reporting obligations would be facilitated through the Economic Development and Planning Committee of the Region and the Finance and Administrative Committee of the City of Hamilton.

F. INITIATIVES SUGGESTED IN "STRONG MEDICINE"

Marketing Task Force

* attract key retailers
* mass market Art Gallery
* make Main Street an institutional address
* relocate Regional offices downtown
* student bus passes
* new downtown head offices
* improve downtown appearance, including expanded floral plantings and streetscaping
* attract downtown conventions and international business meetings
* develop a business "prospective" to highlighted Downtown environment opportunities.

Residential Development Task Force

* create plans for key buildings
* Hamilton Halton Home Builders Initiatives
* City Housing proposals for key properties
* plans for reviving vacant buildings
* implement Hamilton Downtown Ideas Charrette
* consider the development of neo-traditional "new" neighbourhoods adjacent to the Downtown.

Business Development \ Financial Task Force

* improve fibre optics
* property tax reform and exemptions
* "one-stop shoppping" for development issues
* meet with property owners to address issues, including "block by block" property owners' meeting
* address parking issues
* initiate strategic actions for attracting downtown investment for the ongoing operation of the Partnership
* identify and secure capital and operational funding
* with the assistance of municipal officials, engage in a targeted, aggressive recruitment effort for key retail and commercial tenants\firms.

Strategic Planning Task Force

* develop "Strong Medicine" recommendation, according to priority and opportunities
* address transportation initiatives
* develop downtown secondary plan
* work on downtown charrette recommendations
* undertake surveys, analysis, and develop future vision, directions and requirements
* comprehensive strategic document for the long term vision of the downtown community to create a broad understandable framework with which initiatives can be assessed.

NOTE: It is recognized that the task forces are not exclusive but mutually beneficial and complementary to the goals and objectives.

BOARD NOMINEES - SECTORAL

Proposed Board Nominees

* Hospitality Association
* Metro Hamilton Real Estate Board
* Financial Sector
* Arts \ Cultural Sector
* Manufacturing Sector
* Downtown Business Community (2 B.I.A.'s)
* Hamilton Housing Corporation
* Construction Sector
* Hamilton Parking Authority
* Hamilton & District Chamber of Commerce
* Transportation Sector

* Mayor of Hamilton and Regional chairman (ex-officio)

OPERATIONAL BUDGET

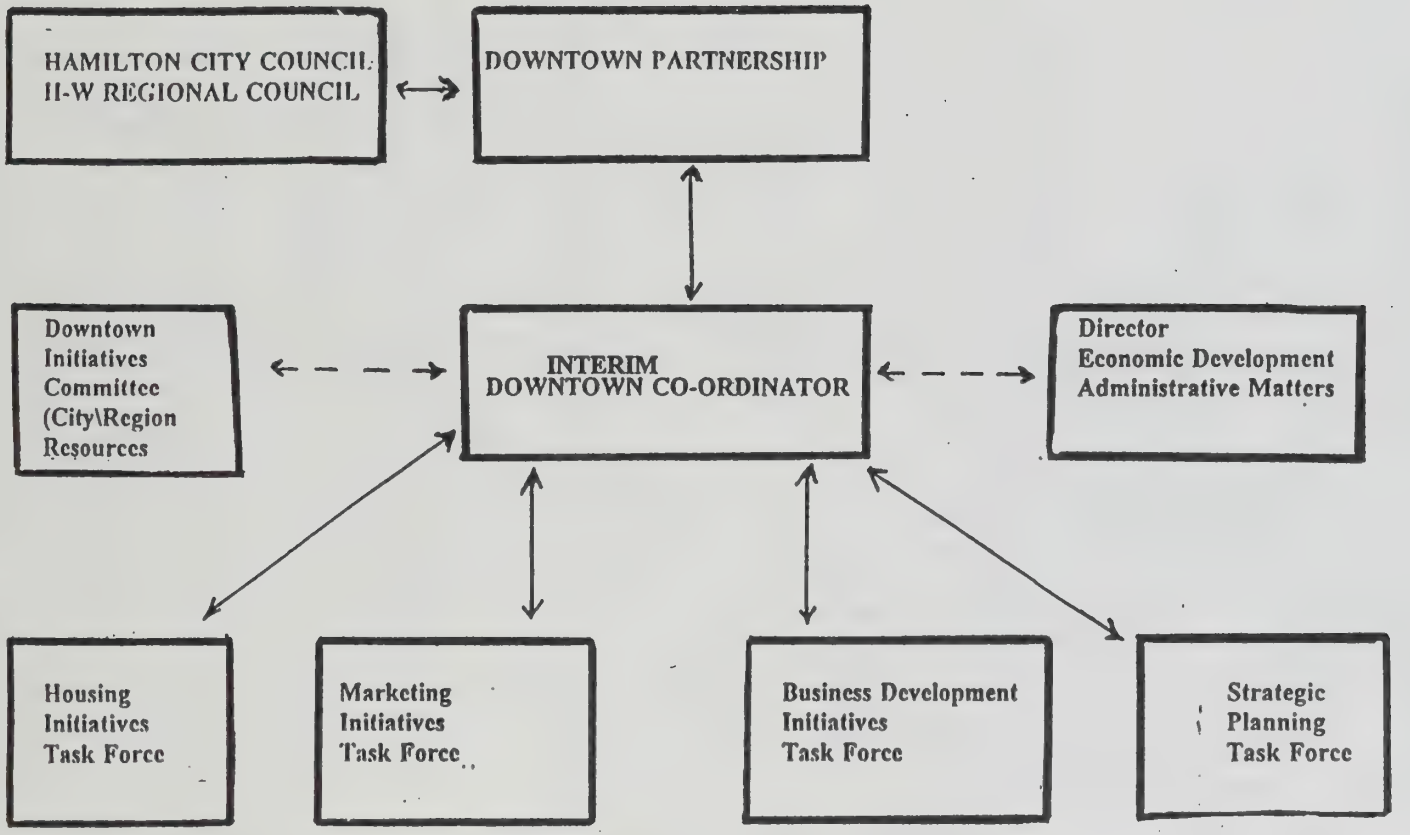
Staff

Administration \ Research	$ 25,000
Consultants	20,000
Marketing \ Promotion	75,000
Computers	6,000
Office Supplies	4,000
Proposal Preparation & Presentation	50,000
TOTAL	**$ 180,000**

	Region	$60,000	)
	City	$60,000	)
**	Business & Other Governments	$60,000	)
		$180,000	

** Private sector participation may entail in-kind services and\or products.

ORGANIZATIONAL CHAR



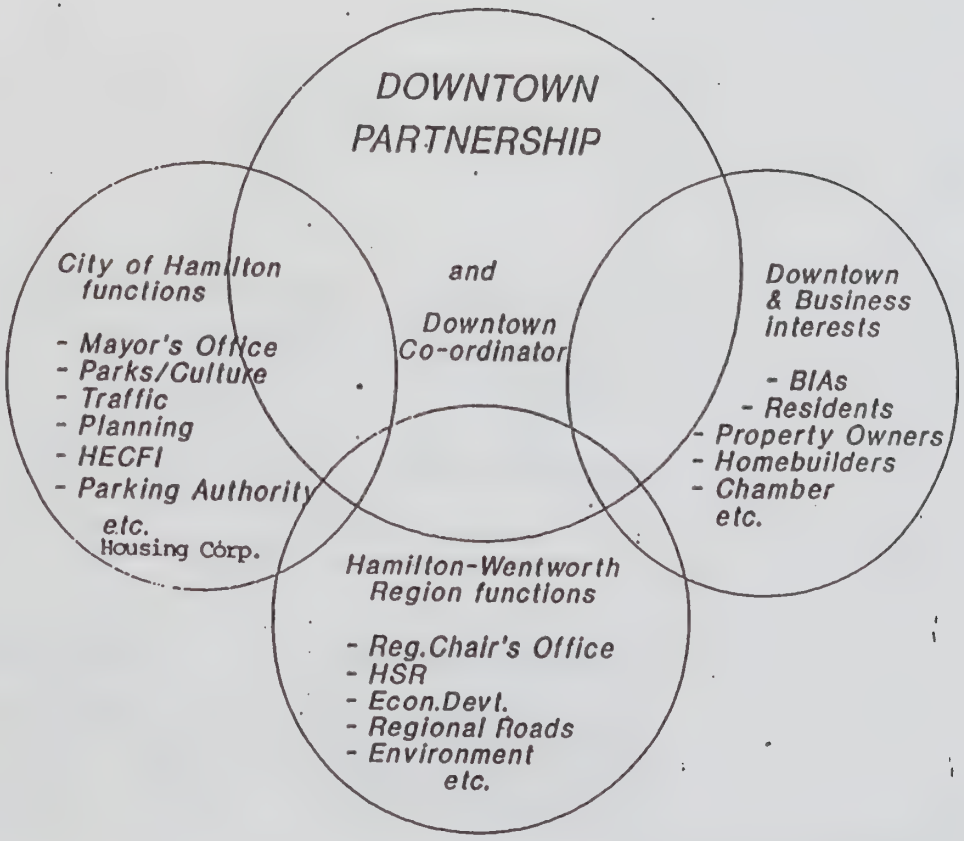
The Downtown Partnership would be composed of:

a) The Chairman of the Task forces (4)

b) Private Sector members (7)

* The Mayor and Regional Chairman as ex-officio, non-voting observers

FUNCTIONAL CHART



Appendix "C" as referred to in Section 18 of the FIRST Report of the Finance and Administration Committee for 1997.

AGREEMENT

CONCERNING ENVIRONMENTAL INVESTIGATIONS AND TAX SALES

BETWEEN:

THE MINISTRY OF THE ENVIRONMENT & ENERGY

(hereinafter referred to as the "Ministry")

-and-

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as the "City")

WHEREAS Rothwell Properties Inc. is the owner of the property located at 606 Aberdeen Avenue, Hamilton, ON, L8N 3K2 which may be described as Part of Lot 20, Concession 3, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, as more particularly set out in Schedule "A" attached hereto (the "property"). The property comprises fifteen (15) acres more or less, tenanted by various commercial and heavy industrial businesses.

AND WHEREAS the City has the statutory obligation pursuant to section 391 of the Municipal Act, R.S.O. 1990, C. M.45, to levy and collect realty taxes on behalf of the City and other public sector taxing bodies including the Regional Municipality of Hamilton-Wentworth and the school boards.

AND WHEREAS the owner of the property, Rothwell Properties Inc. is in default of payments of realty taxes, arrears, penalties, interests, and costs to the City, which default began in 1991 and has continued since that time.

AND WHEREAS the Municipal Act and the Municipal Tax Sales Act provide that realty tax arrears may be collected through action, distress, rent attornment as stipulated in the Municipal Act, and/or registration and sale of property as set out in the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, as amended (hereinafter referred to as the "MTSA").

AND WHEREAS A Tax Arrears Certificate, in accordance with section 3(1) of the MTSA was registered in the Land Registry Office of Hamilton-Wentworth as Instrument No. VM217819 on September 21st, 1995 on title to the property.

AND WHEREAS pursuant to section 9 of the MTSA the City Treasurer shall advertise and sell the property should the Cancellation Price, defined by the MTSA as "an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon and all reasonable costs incurred by the municipality...", not be paid to the City Treasurer on or before September 20th, 1996. The Cancellation Price has not been paid.

AND WHEREAS Phase I and II audits have been performed on behalf of the former Receiver-Manager, BDO Dunwoody Ltd., by Proctor and Redfern Limited in November 1990 and March 1991 respectively. Said environmental audits disclose the following environmental conditions, which may or may not be limited to:

1. exposed asbestos containing material identified on pipe and tank insulation;
2. waste water discharge contains elevated concentrations of phosphorus and fluoride;
3. existence of sludge and liquid residue in historic electroplating pits;
4. existence of heavy metals and arsenic found in girder and duct dusts;
5. shallow, low level but widespread arsenic and heavy metal soil contamination exceeding MOE Decommissioning Guidelines, as indicated by Proctor and Redfern Limited;
6. transformers on the property contain PCB concentrations of less than 50 parts per million which amounts, Proctor and Redfern Limited stipulate, do not constitute waste as defined by Ontario Regulation 11/82.

AND WHEREAS the Ministry has confirmed by letter to the City dated April 22nd, 1996 that no "Active Orders" are outstanding after a search of the Hamilton District Index Record of Active Orders under the Environmental Protection Act, Ontario Water Resources Act, and the Pesticides Act in respect of the property.

AND WHEREAS, in the context of such tax sale process, should a successful purchase of the property not occur at tax sale and/or the Cancellation Price not be tendered at tax sale, the City shall, pursuant to subsection 9(3)(b) be vested with the property, and accordingly would take possession with the intention of expedited sale of the property. Before proceeding in this manner, the City wishes to enter into an agreement (the "Agreement") with the Ministry in order to set out the terms under which such vesting and possession would take place.

AND WHEREAS at its meeting of *******, 1997, City Council authorized the said Agreement by adopting Item *** of the **** Report of the Finance and Administration Committee.

The terms and conditions of the Agreement are as follows:

1. (a) In this Agreement, unless something in the subject matter or context is inconsistent therewith, the term "City" means its officers, employees and agents and shall include any real estate agent, environmental consultant, property manager or the like retained by the City in the context of the MTSA sale process and the directors, officers, employees and agents thereof while acting on behalf of the City.

   (b) "Environmental Laws" means the Environmental Protection Act, R.S.O. 1990, E.19, and the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as these acts may be amended and in force from time to time, and any regulations, rules or guidelines issued under or in connection with such laws.

   (c) "Responsible Person" means, for the Property, the owner, occupant, person in charge, person responsible, person in possession, person having charge, management or control, or the like.

2. The City shall not be, and shall not be deemed to be, a Responsible Person under the Environmental Laws with respect to the property or any other real or personal property (including any contaminant, source of contaminant, pollutant or other hazardous or regulated substance), or be made subject to any order, directions, requirements, decisions, proceedings or the like under Environmental Law, with respect to any environmental contamination or other environmental problem, or any violation of Environmental Laws, that has already occurred, or is already in existence at the date of this agreement by reason of:

   (a) having (in its sole discretion and in its capacity as a municipality) entered upon or taken any action in its capacity as municipality with respect to the Property in order to:

      (i) conduct, complete or confirm any investigation of any kind, whether or not intrusive or in one or more stages, into the environmental or other conditions of the Property,

      (ii) preserve or protect the value of the Property, including but not limited to any steps required (a) to maintain public utility services, heat, maintenance services or security for the Property or to keep the Property insured or (b) to deal with

any immediate danger, or threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the property of any contaminant, pollutant or other hazardous or regulated substance, or

(b) collecting of rents, seizure of chattels or commencing, conducting or completing a public sale of the Property for the collection of realty tax arrears pursuant to the Municipal Tax Sales Act,

(c) taking any other actions or steps with respect to the Property to which the Ministry may agree from time to time, which agreement will not be unreasonably withheld.

3. This Agreement will enure to the benefit of and be binding upon the City and the Ministry.

4. The City represents that in the past it has not had direct management, control, ownership or possession or any similar interest in the property, other than those interests of a municipality.

5. The City shall, prior to conducting the tax sale as provided by section 9 of the MTSA, or, if vested with the property, entering into an agreement with respect to the sale of the property, make available to any prospective purchaser or tender applicant of the property a copy of all environmental reports and any other information about any material environmental problem at or relating to the property which are now or in the future in the possession or control of the City, which information shall include a copy of this agreement. For greater certainty, sale of the property shall include any transfer of possession of the property by leasing or otherwise, and any transfer of ownership of the property. In addition, it is understood that in this Agreement "purchaser" includes any tenant, licensee, or any other person to whom the property or the City's interest may be assigned or transferred.

6. The City will notify the Ministry in writing,

(a) forthwith if it becomes aware of any immediate danger, or any threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the Property of any contaminant, pollutant or other hazardous or regulated substance, or

(b) if it determines, by reason of any adverse environmental condition existing at or with respect to the Property, not to take any further actions or steps for the purposes described in Section 2 of this Agreement with respect to the Property. Any notice, under this clause, with respect to steps commenced under Section 2(a)(ii), will be given at least 14 days before the termination of such steps.

7. Failure to give notice under section 5 or 6 will not result in the loss of any rights or protection which the City has acquired under this Agreement with respect to the Property or otherwise.

8. When requested by the Regional Director the City will provide the Ministry with copies of any reports prepared as a result of any environmental investigation the City conducts with respect to the property and any other information that is now or in the future in its possession or under its control or capable of obtaining by reasonable efforts which will assist the Ministry in administering environmental laws with respect to Rothwell Properties Inc. and the property.

9. Nothing in this Agreement exempts the City from any duty it may have under Environmental Laws to provide any notice or make any disclosure, or from any responsibility under Environmental Laws for any discharge or spill of any contaminant, or the deposit of any waste, on the property, which is caused or aggravated directly by the City, but any such responsibility is limited to the extent of the cause or aggravation.

10. Either party may terminate this Agreement for any reason upon prior written notice to the other party. The Ministry may give notice to the City only up and until the date of the first advertisement in the local newspaper, "The Hamilton Spectator". If the Ministry gives such notice of termination, termination shall take effect upon the thirtieth (30th) day following the City's actual receipt of such notice. If the City gives the notice of termination, however, termination shall be effective immediately upon the Ministry's actual receipt of the notice, except where 14 days notice is required under Section 6(b), in which case termination shall be effective when notice has been so given. Termination will not affect any rights or protection acquired by the City under this Agreement with respect to (a) entry upon the Property in reliance on this Agreement prior to the effective date of termination or (b) any actions or steps taken or begun prior to the effective date of termination, for any of the purposes described in Section 2 of this Agreement. A fax confirmation sheet or mail or messenger service receipt will be conclusively deemed to be proof of actual receipt of notice of termination under this Agreement.

11. Notwithstanding any other provision of this Agreement, the right and protection of the City acquired under this Agreement only apply with respect to the activities of the City undertaken before the 180th day following a public sale of the property. This time period may be extended from time to time but only by notice in writing signed by the Ministry.

12. This Agreement does not affect the rights or obligations of third parties.

13. Nothing in this Agreement constitutes a commitment by the Ministry not to prosecute a person in the event that person commits and offence under the Environmental Laws.

14. This Agreement constitutes the entire agreement between the City and the Ministry with respect to the subject matter hereof. There are no prior understandings or agreements between the parties hereto with respect to the subject matter hereof. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory between the City and the Ministry other than as expressly set forth in this Agreement.

15. This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.

16. Notwithstanding any other provision in this Agreement, the Ministry retains the authority to issue orders which have as their purpose requiring or enabling the City to implement the provisions of this Agreement.

DATED this day of January, 1997.

THE MINISTRY OF THE ENVIRONMENT & ENERGY

_____

*****, Regional Director

THE CORPORATION OF THE CITY OF HAMILTON

_____

Robert M. Morrow, Mayor

_____

J.J. Schatz, City Clerk

N:\JSL\SENV606.AGT

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: Hamilton Corporate Challenge

RECOMMENDATION:

(a) That an amount of $2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1997 June 8th at Christie Conservation Area; and,

(b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

J. G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Itemized List of Equipment and Supplies - two (2) teams - 40 people

Registration Fee ($275 per team includes GST)	$ 550.00
Complete Rental-Alls (tent,barbeque - delivery,setup,removal,tax)	$ 575.00
Uniforms (2 teams - 40 people)	$1,470.80
Van (City Garage)	$ 30.00
Total required for supplies and equipment	**$2,625.80**

Past Year's Contributions by the City of Hamilton to
The Hamilton Corporate Challenge

1996	$ 2,625.80
1995	$ 2,625.80
1994	$ 2,625.80
1993	$ 2,625.00
1992	$ 2,537.00

BACKGROUND:

Annually, the Hamilton and District Chamber of Commerce organizes approximately 75 teams (1,500 people) from Corporate sponsors throughout the City of Hamilton to promote good health and physical activity. Attached is the list of Corporate sponsors from last year who competed and their respective standing.

Please note that the City of Hamilton's teams obviously made respectable showings by placing 6th with 85 points and 46th with 61 points.

The Corporate Challenge is a family day with team members participating in friendly competition and enjoying a summer's day outside the office with fellow employees and colleagues from the City. The following lists the kind of fun filled competitions that are held:

1. Revenge of the Rotor-Rafters
2. Team Synergy
3. Beres Baby
4. Game Room Challenge Tower
5. Sandbox Adventure
6. Weaver's Guild
7. Follow the Leader
8. Breakout!
9. Trans Ad Transfer
10. Bored and Tired

CONCLUSION:

In addition to promoting good health and physical activity, corporate sponsorship for this type of family event is a good morale booster. Many of the Corporation's employees contribute by coming in early, staying late, coming in after hours and taking work home to accomplish their professional obligations. This dedication results in better service to the community.

Certainly, one way of thanking the City's employees is to indulge them by permitting them to participate in this event.

In addition, the effort to organize and coordinate the City's participation should not be overlooked. Mr. Gil Mazzetti from the Information Systems Department should be recognized for his annual energy and effort in doing this.

JGP/GPM
Attachments

cc A. Ross, Treasurer
G. Mazzetti, Team Captain, c/o Information Systems Department
S. Strang, Team Captain, c/o Service Department

		Hamilton Corporate Challenge																
		June 9, 1996																
Team			Team					Event										
No.		Name	No.	Total	1	2	3	4	5	6	7	8	9	10	Food	Volunteer	Total	
30	1	Stelco Steel Inc	30	99	9	9	9	9	9	7	9	9	9	9	10	1	99	
6	2	OE Canon	6	94	7	9	9	9	9	8	9	7	8	9	10		94	
35	3	Taylor Steel Inc	35	94	7	7	9	9	7	9	9	9	9	9	9	1	94	
27	4	H-W Regional Police	27	93	7	9	9	5	9	7	9	9	9	9	10	1	93	
58	5	Ham. Civic Hospitals	58	87	7	9	5	7	9	5	9	9	7	9	10	1	87	
17	6	City Of Hamilton - "A" Team	17	85	7	9	5	9	5	9	9	9	5	7	10	1	85	
63	7	Scotia Bank Dealer Finance	63	85	9	9	6	7	9	9	9	9	5	9	3	1	85	
1	8	Stelco Inc	1	83	5	7	5	5	5	9	9	9	9	9	10	1	83	
47	9	Dofasco - Jokers	47	83	9	7	4	7	9	7	5	9	8	7	10	1	83	
13	10	BayKing Motors	13	82	7	3	9	7	7	5	7	9	9	8	10	1	82	
44	11	Dofasco -Buying Power	44	82	9	7	9	9	7	9	3	3	9	7	10	0	82	
5	12	All Cdn. Mgmt.	5	81	7	5	6	5	9	9	7	5	8	9	10	1	81	
25	13	National Steel Car - Locomotion	25	81	3	5	7	7	7	9	7	7	9	9	10	1	81	
46	14	Dofasco - Taste Buds	46	80	7	9	5	3	9	9	8	7	3	9	10	1	80	
56	15	Wescam Inc	56	80	3	9	8	9	7	5	5	9	7	7	10	1	80	
8	16	McMaster Bookstore	8	79	9	7	7	7	7	9	5	5	5	7	10	1	79	
39	17	The Barn Fruit Markets	39	79	9	9	3	7	3	5	9	9	7	7	10	1	79	
3	18	Laidlaw Waste Systems	3	78	7	9	9	5	5	9	7	5	7	5	10	0	78	
9	19	Dufferin Game Room Store	9	78	5	9	5	7	9	7	9	7	5	5	10		78	
50	20	Chamberlain Phipps Can	50	78	7	7	9	3	3	9	5	9	7	9	10	0	78	
2	21	Hamilton Hydro	2	77	9	7	6	9	5	3	9	7	7	4	10	1	77	
43	22	Ernst & Young	43	76	7	9	7	9	7	9	9	7	8	3	0	1	76	
62	23	Carrera's Sports Dome	62	76	7	5	8	7	5	7	7	9	5	5	10	1	76	
64	24	Proctor & Gamble	64	75	9	9	6	9	9	5	7	3	5	8	5		75	
53	25	KPMG	53	74	5	8	5	5	5	7	5	7	8	8	10	1	74	
14	26	Seven Towers Family D.C.	14	73	9	3	6	5	9	5	7	9	6	3	10	1	73	
69	27	Funeral Home Services	69	73	9	7	9	7	7	9	9	7	5	3	0	1	73	
19	28	Financial Concept Group	19	71	7	7	6	9	3	7	7	5	9	7	4		71	
48	29	Coldwell Banker	48	71	9	5	8	9	5	7	8	7	5	8	0		71	
36	30	Westbury Can Life	36	70	3	5	7	3	9	9	5	5	7	7	10	0	70	
38	31	Mtn. City News	38	70	9	9	5	9	9	5	9	3	3	9	0	0	70	
51	32	Rogers Cable Systems	51	70	9	7	4	5	9	7	9	7	8	5	0		70	
32	33	Royal Bank of Canada	32	69	3	9	9	7	7	8	3	5	4	3	10	1	69	
57	34	The Children's Aid Society	57	69	5	5	9	5	7	7	7	5	9	9	0	1	69	
15	35	Price Waterhouse	15	68	5	5	5	9	5	3	7	5	6	9	9		68	
33	36	Price Club Ancaster	33	68	5	7	7	9	5	7	7	9	5	7	0		68	
52	37	Coopers & Lybrand	52	68	7	5	4	7	9	9	9	5	7	6	0		68	
54	38	The Right Foot	54	68	5	3	7	7	9	9	9	7	6	6	0		68	
55	39	Sobey's Food Village	55	68	9	7	9	3	7	5	5	5	9	8	0	1	68	
24	40	National Steel Car - The Train Gang	24	67	5	7	5	7	5	7	4	5	8	3	10	1	67	
16	41	Direct Equipment Ltd	16	65	9	5	6	9	7	7	5	7	7	3	0		65	
31	42	Royal Bank of Canada	31	65	5	3	7	3	5	7	5	7	5	7	10	1	65	
45	43	Dofasco - Wild Ones	45	64	7	3	4	5	5	5	5	9	7	3	10	1	64	
22	44	Camco Inc - Rangers	22	62	7	9	5	9	9	9	3	3	5	3	0		62	
49	45	Canada Trust	49	62	5	5	7	9	7	5	7	3	9	5	0		62	
18	46	City Of Hamilton - Halls Angels	18	61	3	5	5	5	9	3	5	3	7	5	10	1	61	
26	47	Dept of Public Health	26	61	3	5	5	3	3	5	7	3	9	7	10	1	61	
40	48	CAA S.Central Ont.	40	61	3	7	9	7	3	5	5	5	5	5	6	1	61	
42	49	Turkstra, Mazza, Shinchol	42	60	5	3	8	5	3	7	7	9	5	5	2	1	60	
12	50	Colortron Photo Services	12	59	9	3	9	7	5	3	7	5	3	7	0	1	59	
60	51	Chedoke McMaster Hospital - Highlanders	60	58	5	7	5	5	5	5	3	5	5	3	10		58	
67	52	The Foot	67	57	5	8	3	7	7	3	7	7	3	7	0		57	
10	53	Union Gas Ltd.	10	56	9	7	7	3	3	5	3	7	7	5	0		56	
68	54	HECFI	68	56	7	5	3	5	5	3	9	5	6	7	0	1	56	
11	55	Baycoat	11	55	3	3	3	7	7	5	3	9	5	9	0	1	55	
70	56	Bell Canada	70	55	3	9	8	5	3	3	5	5	9	5	0		55	
21	57	Lime Ridge Mall	21	53	3	5	7	3	5	5	7	7	3	5	3		53	
61	58	Chedoke McMaster Hospital - Gen. Refugees	61	53	3	5	3	3	5	3	7	5	9	0	10		53	
34	59	Norton Canada Inc	34	52	7	3	7	5	3	7	5	3	3	8	0	1	52	
59	60	The Wellington Nursing Home	59	52	5	3	8	9	3	7	5	3	3	5	0	1	52	
23	61	Camco Inc - Refrigerators	23	51	9	7	3	3	7	3	3	7	4	5	0		51	
37	62	John Skirving Ltd.	37	49	5	3	5	5	7	5	3	3	8	5	0		49	
20	63	Last Minute Larry's	20	47	5	5	3	5	7	3	5	7	3	4	0		47	
29	64	Nesbitt, Burns Inc	29	44	5	5	6	5	3	5	4	3	3	5	0		44	
4	65	—	4	0											–		0	
7		—	7	0											–		0	
28		–	28	0											–		0	
41		—	41	0											–		0	
65		—	65	0											–		0	
66		—	66	0											–		0	
71			71	0													0	
				0													0	
				35												35	35	

1997 Hamilton Corporate Challenge

Register for the 1997 Hamilton Corporate Challenge today!!

Register by September 1, 1996 for the 1997 Hamilton Corporate Challenge and pay this year's fee of $275.00 (GST included)!

Simply complete this form and return it with the registration fee to:
Junior Achievement of Hamilton/Wentworth
1047 Barton Street East, Hamilton, Ontario L8L 3E2

Company Name:

Address:

Postal Code: Telephone: Fax:

Contact Person: Telephone:

Please make cheques payable to: Junior Achievement of Hamilton/Wentworth

Help us make our goal of 100 teams a reality!!

Preregister today!!!

(p.s. feel free to pass this form on to someone you know who would like to preregister!!)

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Release of Development Covenants
1342 Stone Church Road East, Hamilton

RECOMMENDATION:

(a) That the City of Hamilton confirm that it claims no interest in the property known municipally as 1342 Stone Church Road East, Hamilton, that had been sold in 1977 to Bell Canada, subject to development covenants in favour of the City set out in our 1977 deeds to Bell registered as Instrument Nos. 70118C.D. and 64016L.T. This property is being released from these covenants as they have been fulfilled; and,

(b) That the Mayor and City Clerk be authorized and directed to execute documents for the said release in a ~~form~~ satisfactory to the City Solicitor.

J.G. Pavelka

D.W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The City of Hamilton sold 1342 Stone Church Road East, Hamilton to Bell Canada in 1977 subject to several obligations upon Bell Canada to develop the property. These obligations, being construction of a 10,000 square foot building and completion of same with 1½ years from date of closing have been met.

Bell Canada now requests that as their development obligations have been met that the City of Hamilton release the property from the development covenants in favour of the City.

In support of their request, the Building Department has confirmed that the development covenants have been fulfilled and it is therefore now appropriate to remove the covenants from title. Our Department and the Law Department are in agreement with their request.

DC/nw

c.c. P. Noé Johnson, City Solicitor


CHURCH ROAD EAST
M-14/ S-1013
M-14/S-1048
M-14
M-14/ S-904
Subject Property
M-14/S-429
NEBO ROAD
HEMPSTEAD DRIVE
M-14/S-866
M-14
HEMPSTEAD DRIVE
LANCING DRIVE
NEBO ROAD
CANADIAN NATIONAL RAILWAY
DARTNALL ROAD
LANCING DRIVE
M-14/S-882
M-14
M-11

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 January 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: 1997 Membership Invoice - Association of Municipalities of Ontario

RECOMMENDATION:

(a) That the City renew its membership for 1997 with the Association of Municipalities of Ontario at a fee of $13,161.52; and,

(b) That staff be authorized to remit this payment at a cost to be financed from Account No. CH 56011-10032 - Memberships.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Membership fee of $13,161.52 to be charged to the City's Membership Account. Funds have been allocated in the 1997 budget for this appropriation.

BACKGROUND:

For the fifth consecutive year, the Association of Municipalities of Ontario has maintained a 0% increase on membership fees. A copy of the Invoice along with the Membership Notice and a summary of the 1996 achievements is herewith attached.

The fee structure for the A.M.O. membership is based on the number of households. Unlike the F.C.M. memberships, the A.M.O. memberships are not Regional, but rather memberships are held by both Regions and municipalities individually.

cc A. Ross, Treasurer

Association of Municipalities of Ontario

1997 A.M.O.
MEMBERSHIP INVOICE

Municipal Clerk
City of Hamilton
71 Main St. W.
Hamilton, Ontario L8N 3T4

DATE OF INVOICE
DEC. 9, 1996

BILLED TO	AMOUNT
Hamilton C	$13,161.52

As a non-profit association, A.M.O. has elected not to charge GST on its membership fees.

The above amount represents an increase of 0% on the membership fee charged in 1996.

At its meeting on November 29th, 1996, the A.M.O. Board of Directors passed the association's 1997 budget which provides that membership fees be kept at their 1996 amounts during 1997.

If you have any questions regarding your membership fee or membership in A.M.O., please contact the A.M.O. offices at the address or numbers below.

250 Bloor St. East, Suite 701 • Toronto, Ontario • M4W 1E6
Phone: 416-929-7573 • FAX: 416-929-7574 • email: amo@amo.municom.com

... unites Ontario's municipalities

Association of Municipalities of Ontario

DISTRIBUTED FOR INFORMAT
TO MEMBERS OF CITY COUN
CITY CLERK DEC 1 8 1996
cc:

To the Head and Members of Council:

RE: 1997 MEMBERSHIP NOTICE

Enclosed you will find your membership fee invoice for 1997. I am pleased to announce that, for the fifth consecutive year, there will be **no increase** in AMO's membership fees.

Over the past year, AMO has been involved in every issue facing municipalities in Ontario. Those issues range from public safety and the environment to infrastructure financing, land use planning and the delivery of social and health services. It has indeed been a very challenging year for Ontario's municipal sector and for AMO. As you know, the same will hold true for 1997.

Municipal politicians know that there is no looking back, and that the changes that are taking place right now will reshape the future of Ontario's communities and the future of Ontario. The challenges that we face together over the next year will redefine the role of municipal government for many years to come. Now, more than ever, we need to work together to ensure that a vital and strong municipal sector is in place to serve the people of Ontario and to protect the interests of property taxpayers across this Province.

AMO has been working very hard on your behalf over the past year, and we have had some very important successes. I want to highlight just a few of AMO's achievements in 1996.

- AMO helped shape a new *Planning Act* that improves municipal decision making and enhances local authority and autonomy in planning matters.

- AMO's response to Bill 26 led to greater flexibility over alternative revenue sources and licencing, additional control over special purpose bodies, and improvements to the arbitration process that will result in substantial savings for municipalities.

- In June, AMO succeeded in getting municipal concerns heard loud and clear at the 1996 Police Summit. The result is expected to be full municipal control over police budgets, no more Provincial appointments to police services, and an approach to the redistribution of OPP costs that recognizes the actual costs of services used, greater choice for municipalities, and a balancing of financial impacts with offsets in other local costs.

.../2

250 Bloor Street East • Suite 701, Toronto, Ontario M4W 1E6 • Telephone (416) 929-7573 • Fax (416) 929-7574

- AMO's efforts paid off again in the development of Bill 84, the *Fire Protection and Prevention Act.* The Bill provides much needed reforms - granting municipalities greater flexibility to manage fire services more effectively and efficiently. The new legislation is consistent with AMO's demands for increased harmonization of municipal labour legislation.

- AMO was also very influential in the development of Bill 86, the *Better Local Government Act.* The Bill addresses key issues relating to municipal administration and provides protection from unreasonable liability costs. The Minister has committed to AMO that a new, permissive *Municipal Act* will be introduced to replace current prescriptive legislation early in 1997.

- AMO has ensured that the *Who Does What* process has included substantial input from municipal officials acting as technical advisors to the Panel. Although the Panel's recommendations have not reflected AMO's position on every issue, through the advisors' efforts many significant legislative reforms which the association and municipalities have sought for decades have been recommended to the Province for consideration.

AMO's role as the united voice of Ontario's municipalities will be more important in 1997 than at any time in our history. As the provincial government constantly reminds us, everything is on the table. Recently, Premier Harris announced that a comprehensive legislative reform agenda based on the *Who Does What* Panel's recommendations will be underway in January, February and March. That agenda will cover all aspects of Provincial and municipal roles and responsibilities. At that time, the Province will consult and debate on major issues of governance, accountability, service responsibility and local government finances.

With your support, AMO will be there, working to ensure that the voice of Ontario's municipal governments, and their critical role in governing Ontario, is clearly understood by the Province and by the electorate.

Yours truly,

Terry Mundell

Terry Mundell
President

E.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 January 30th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Chief Administrative Officer and Director of Property - 571 Kenilworth Avenue North - Andrew R. Kay Property - report dated 1997 January 22nd

(b) Correspondence - Canadian Football Hall of Fame and Museum Management Committee - Grey Cup Festival Proposal for the year 2005 - letter dated 1996 December 12th

(c) Recommendation - Transport and Environment Committee - from the Commissioner of Public Works and Traffic - City of Hamilton's "Flat Rate Fee" for the Recovery of Servicing Costs associated with 0.30 Metre Reserves - report dated 1997 January 23rd

(d) Correspondence - Mayor Frank Faubert, City of Scarborough - Legal Challenge - Bill 103 - letter dated 1997 January 27th

(e) Correspondence - Regional Clerk - Government Restructuring - letter dated 1996 December 19th

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN\MUNICIPAL
CA3 ON HW A05
C51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

Tuesday, 1997 February 18
1:30 o'clock p.m.
Room 233, City Hall

FEB 17 1997

GOVERNMENT DOCUMENTS

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **TREASURER**

   (a) Hamilton Region Conservation Authority - Request for Realty Tax Exemption

   (b) 1996 Year End Closing

   (c) Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the Year 1996

4. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

   (a) Rescinding Council Resolution for the Construction of an Underground Vault for the Uninterruptable Power Supply - Information Systems

   (b) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

5. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS**

   Supplier for Desktop Computers

6. **CHIEF ADMINISTRATIVE OFFICER**

   Information Technology - Consulting Services

7. **ACTING FIRE CHIEF AND CITY SOLICITOR**

Amendments to Fireworks By-Law No. 90-198

8. **CORRESPONDENCE**

Hamilton International Air Show - request for funding of a 1997 Civic Reception to be held Friday, 1997 June 13th

(a) Information Report - Secretary, Finance and Administration Committee

9. **REFERRAL FROM CITY COUNCIL**

Resolution - Hamilton and District Labour Council - Potential Impact of Bill 99 on Municipal Taxes

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

3. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Request for Realty Tax Exemption - Hamilton Region Conservation Authority

RECOMMENDATION:

That the request for the waiver of outstanding tax arrears on the property known as 000 Young St. (Roll number 03-02020-5620) be denied.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approval by the Region of the request for tax exemption under Section 210.1 of the Municipal Act would result in reduced tax revenues (City, Regional and School Board shares) of approximately $2,600.

The requested waiver of outstanding tax arrears on 000 Young Street would affect arrears in the amount of approximately $68,000.

BACKGROUND:

At its meeting of 1997 January 21, the Finance and Administration Committee received a request from the Hamilton Region Conservation Authority for the City's support of their request to the Region for a realty tax exemption on the rail trail project lands.(attached as Appendix A).

In a separate correspondence to the Treasurer (attached as Appendix B), representatives of the Regional Transportation Department also requested the City to waive outstanding tax arrears on a portion of the trail acquired by the Region from CN Rail in 1994.

DISCUSSION:

The Conservation Authority has requested consideration by the Region to granting their properties tax relief under Section 210.1 of the Municipal Act. The Region has approved a policy to govern its considerations of any such request. That policy requires that the support of the relevant area municipalities be sought by the applicant, and this is the basis for the request of the City by the Conservation Authority.

There is no necessity for the City to take a position regarding this request. The matter is entirely in the hands of the Region and the Conservation Authority, and therefore, it is proposed that the request be simply received. Any applications to the Region that, for whatever reason, the City has reason to comment upon directly, can be dealt with between the City and Region.

Request for Waiver of Tax Arrears

As noted in the correspondence from the Region, the outstanding taxes in question relate to a period in 1994 when the subject lands were being acquired by the Region from CN Rail. Early in 1994, the Region gave a verbal commitment to CN that CN would not be responsible for any realty taxes on the property in 1994. The acquisition was not completed until August 1994, and in the intervening period, approximately $50,000 in taxes were assessed against the property. Since that time, approximately $18,000 in penalty and interst have accumulated on the account.

The Region is now requesting that the taxes be waived by the City of Hamilton. The only authority available to the City to waive taxes is in the case of uncollectibility. There is no evidence to suggest that this account is uncollectible. It is therefore recommended that the request from the Regional Municipality for the waiver of the tax arrears be refused.

c.c. P. Noé Johnson, City Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Transportation Department

Roads Division
71 Main Street West
Hamilton, Ontario L8N 3T4

1997 January 6

Refer to File No:

Attention of: E. M. Gill
Tel: (905) 546-4300
Fax: (905) 546-2870

Allan C. Ross
Treasurer
Treasury Department
City of Hamilton

Dear Mr. Ross:

Re: **Realty Taxes for Escarpment Rail Trail**
000 Young St - 03-02020-5620

In the summer of 1993, the escarpment rail trail was constructed and open for recreational purposes. While the Region did not have legal possession of the above mentioned property pertaining to the rail trail, it was anticipated that it would be tax exempt, based on the following factors:

i) the right-of-way was to be used for municipal purposes;
ii) the transfer of property from CN was is progress.

Therefore, based on these factors, the Region verbally agreed with CN that they would not be responsible for any realty taxes associated with the rail trail in 1994.

On August 25, 1994, the Region completed the acquisition of the CN Rail right-of-way between Ferguson Avenue and Stone Church Road for the escarpment rail trail . The purchase included the property mentioned above, which currently is in arrears of realty taxes for January to August 1994. At that time, the property assessment value was $153,927, under its old Roll Number 03-002730-8090. Because of the change in property use, the current 1996 property assessment value, under the new roll number is $4,124.

In February 1994, the Region requested that the City of Hamilton, through the City Treasurer, waive the payment of the property tax bills, "as the trail is in public use by the City of Hamilton residents and others" (copy attached). The City Treasurer responded to me verbally that the matter was not within his control, and that the Provincial Assessment Commissioner should be contacted. It transpired that whatever appeal period there was for the Region/CN, expired at the beginning of 1994, and the only avenue available to the Region at this time is to request the City for a write-off of taxes.

The Region therefore requests that the taxes in arrears, in the amount of approximately $50,000 plus interest charges, be waived by the City of Hamilton, giving consideration to the circumstances outlined above. I presume that a report to the Finance and Administration Committee may be required.

Your assistance in this matter would be appreciated. If you require further information related to this matter, please call me at 546-4300.

E. M. Gill, P. Eng.
Senior Director
Roads Division

EMG/LT/clk
Attach.

cc: Bev Neill, Supervisor of External Disbursements, Finance Department
Helen Vastis, Assistant Corporate Counsel, Legal Services Department
John van der Mark, Director of Predesign and Special Projects, Roads Division
Linda Tattrie, Supervisor of Financial Services, Roads Division

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Transportation / Environmental Services Group

Roads Department
25 Main Street West, Suite 1000
Hamilton, Ontario L8P 1H1

Tel. (905) 546-4277
Tel. (905) 546-4170
Fax (905) 546-2385

MEMORANDUM

TO: Allan Ross, Treasurer
Treasury Department

YOUR FILE:

FROM: John van der Mark, Director
Predesign & Special Projects Division

OUR FILE: 60.03.02
PHONE: 2383

SUBJECT: **Transfer of CN Right-of-way to Region**
Escarpment Rail Trail
Interim Property Bills

DATE: February 25, 1994

* * * \

Hamilton Region Conservation Authority

November 18, 1996

Mr. Joseph Schatz, City Clerk
City of Hamilton
71 Main Street West, 2nd Floor
Hamilton, ON
L8N 3T4

Dear Mr. Schatz

Re: Request for Realty Tax Exemption

As you are probably aware, the Regional Municipality of Hamilton-Wentworth (Region) recently approved a policy which provides for tax exemptions of non profit organizations under Section 210.1 of the Municipal Act. For your information, I am enclosing a copy of same.

We have discussed the policy with the Regional Finance staff to determine how the policy may apply to the Conservation Authority. Based on these discussions, it is our intent to request the Region to exempt the Conservation Authority from the payment of realty taxes on its various **Rail Trail projects**.

The Conservation Authority now owns ± 20 kms of railway corridors. In addition, the Conservation Authority will complete the purchase of another 15 km rail corridor in East Hamilton and the Township of Glanbrook. All of these corridors are part of a Region-wide trail network. For your information we are enclosing a map showing the Rail Trail corridors which are already, or soon will be, owned by the Conservation Authority. The sections identified in red are located within your municipality.

Our application to the Region for a tax exemption is to include written notification from the affected area municipality, stating their support of a tax exemption request. In order to fulfil this requirement, we herewith request the City of Hamilton to support our application for a tax exemption covering the trail sections shown in red on the attached plan. These sections represent those portions of the railway corridor located within your municipality. Their total length is ± 2.5 kms, and the width is ± 21 metres.

.....2

P.O. Box 7099, 838 Mineral Springs Road, Ancaster, Ontario L9G 3L3 • (905) 525-2181 or 648-4427 • Office Fax 648-4622 • Shop Fax 525-221

We were recently advised by the Region that our request for a tax exemption must be submitted by mid December at the latest. Your early consideration of this request would therefore be very much appreciated.

Please feel free to give me a call in case more background information is needed. I would also be pleased to attend one of your committee/council meetings if so required.

Yours sincerely,

B. W. Vanderbrug
General Manager

BWV/mn

encl.

cc Terry Anderson
Marvin Caplan
Bob Charters
Fred Eisenberber
Mary Kiss
David Wilson

REGIONAL POLICY

Tax Exemptions of Non-Profit Organizations Under Section 210.1 of the Municipal Act

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Policy - Tax Exemptions of Non-Profit Organizations Under Section 210.1 of the Municipal Act

PART I - INTRODUCTION

LEGISLATION

The Community Economic Development Act, S.O. 1993 c.26 was proclaimed in force January 31, 1994. Through the proclamation of Bill 40, Section 210.1 was added to the Municipal Act and identifies terms and conditions which must be satisfied in order for a facility to achieve tax exempt status as a municipal capital facility. Ontario Regulation 46/94 enacted pursuant to Section 210.1 of the Municipal Act defines the provision of classes of municipal capital facilities as well as the conditions which must be satisfied to grant tax exemption.

PURPOSE OF PROVIDING A FACILITY WITH TAX EXEMPTION

To provide Regional services to the community by entering into agreements with organizations agreeing to provide services through the use of their capital facilities.

OBJECTIVES OF THE APPLICATION PROCESS

1. To provide criteria which is clearly defined and equitable to organizations providing Regional services as defined in the Regional Municipality of Hamilton-Wentworth Act, the Regional Municipalities Act or the applicable provisions of the Municipal Act.

2. To maintain a non-discriminatory approach for evaluating tax exemption requests.

3. To ensure that the agreement between the Region and the outside party will be effectively administered by a competent and responsible body.

4. To ensure that the granting of tax exempt status for a facility benefits the interests of the Regional community.

5. To monitor the activities of the facility with respect to the issue of equal access to social services by individuals of diverse cultural groups and persons with disabilities.

PART II - TAX EXEMPTION GUIDELINES

THE APPLICANT AGREES TO THE FOLLOWING CONDITIONS:

REQUEST PROCESS

a. Requests for tax exemption will be reviewed once yearly to correspond with the calculation of Regional mill rates (Final date of submitting requests to the Commissioner of Finance: September 30); requests at any other time throughout the year will be considered at the discretion of Council.

b. The request must be in writing to the Regional Commissioner of Finance and must include the following information:

- Identification of the municipal service provided or to be provided by the organization to the community.
- The regulation by which the facility qualifies as a "municipal capital facility" (Ontario Regulation 46/94 subsection 2).
- Written notification from the Area Municipality in which the facility is located stating their support of the organizations request for tax exemption.

c. The organization must designate an authorized representative to be available to meet with the Regional Commissioner and the Commissioner of Legal Services to establish the terms and conditions of the agreement as identified in Section 210.1 of the Municipal Act.

LIMITATIONS OF REGIONAL EXEMPTION

a. The Region will enter into legal agreements with organizations for the purposes of providing tax exempt status as defined by Section 210.1 of the Municipal Act. Through the establishment of **the Region's policy**, the term of the legal agreement is **not to exceed five (5) years.**

b. Should an organization wish to extend their tax exempt status beyond the term outlined in the legal agreement, written notification must be submitted to the Commissioner of Finance at least 6 months prior to the expiration of the existing legal agreement. Requests for further tax exemption will be forwarded to Council for review and approval on a yearly basis.

c. The provision of tax exemption in any circumstance is **not** regarded as a commitment by the Region to extend beyond the terms and conditions of the agreement.

ELIGIBILITY FOR TAX EXEMPTION

a. An applicant must be, or must be in the process of becoming, incorporated as a non-profit organization and should be registered under the Canada Income Tax Act for the purpose of receiving donations.

b. Non-profit organizations requesting tax exemption under Ontario Regulation 46/94 subsection 14 and 16 must be **currently in receipt of an operating grant** from the Region of Hamilton-Wentworth.

c. An organization must demonstrate that it provides a "municipal service" as defined in the Regional Municipality of Hamilton-Wentworth Act, the Regional Municipalities Act or the Municipal Act.

d. The Region will not consider an application for tax exemption from organizations deemed to be providing a service that is the responsibility of a local area municipality, with the exception of the major cultural facilities already assumed by the Region.

e. Where appropriate and feasible, the proponent will ensure that individuals of diverse culture and persons with disabilities have equal access to any "municipal service" provided.

TERMS AND CONDITIONS OF THE AGREEMENT

Upon receipt of Council approval to provide a facility with tax exemption, the recipient organization is required to enter into a formal legal agreement with the Region. The organization will be required to meet with the Commissioner of Legal Services to establish an agreement as identified in Section 210.1 subsection (2) and (3):

"**Agreements for municipal capital facilities.-** The council of a municipality may enter into agreements for the provision of municipal capital facilities by any person."

"**Contents of agreements.-** Agreements under subsection (2) may allow for the lease, operation or maintenance of the facilities by any person..."

1. **RESPONSIBILITY OF THE COMMISSIONER OF LEGAL SERVICES**
The Commissioner of Legal Services shall ensure that the agency or proponent complies with the requirements of Section 210.1 of the Municipal Act, and the provisions of Ontario Regulation 46/94. The agreements for the provision of municipal capital facilities will be structured to ensure compliance with all statutory requirements. In addition, the necessary by-law providing the tax exemption will be prepared by Legal Services.

2. RESPONSIBILITY OF THE COMMISSIONER OF FINANCE

Prior to making any recommendation to Council, the Commissioner of Finance will be responsible for reviewing the request, verifying that the requirements as outlined in this policy are satisfied and contacting the Commissioner of Legal Services to review the legal implications of establishing an agreement as required under Section 210.1 of the Municipal Act.

3. TERM OF THE AGREEMENT

The term of an agreement will not extend beyond a period of five (5) years.

4. LEGAL REQUIREMENTS - DOCUMENTATION/AGREEMENTS

The formal legal agreement will encompass the terms and conditions of the contract regarding the provision of municipal capital facilities and their maintenance and operation. The agreement will include by not be limited to the following provisions and information:

1. The term and date in which tax exemption commences
2. Maintenance and operation of the facility during the period of tax exemption
3. Possible agreement by the region to take reversionary ownership of the facility throughout the term of the agreement or upon expiration (If subsection 16 or 17 of the Ontario Regulation 46/94 applies)
4. Authority on the part of the Region to review all business activity to ensure the continued provision of municipal service throughout the term of the agreement.
5. Insurance, indemnities and financial matters
6. Other terms and conditions, relating to the provision of the municipal capital facility

5. MODIFICATIONS TO THE ORIGINAL AGREEMENT

Any request by the organization to extend or modify the original agreement must be made in writing to the Commissioner of Finance and the Commissioner of Legal Services. These requests will be reviewed and a recommendation will be forwarded to Council for approval.

3. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1996 Year-End Closing

RECOMMENDATION:

a) That the City Treasurer be directed to establish a Housing Reserve to be utilized by the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited.

b) That the amount of $197,739.61, returned to the City by the Municipal Non-Profit (Hamilton) Housing Corporation be transferred to the above Reserve.

c) That the purchase of 207-209 King Street East by Hamilton Housing Company Limited for Downtown Revitalization, approved by the Board at its meeting of 1996 November 25, in the amount of $180,506.08 be funded from the Housing Reserve.

d) That $58.415.00. be transferred to the Reserve for Hosting of Special Dignitaries, (00128) from the Reserve for Hosting Conferences - Municipal Content(00126).

e) That $35,000 of the Current Budget Surplus be transferred to the Reserve for Hosting Special Dignitaries (00128) for 1997.

f) That the balance of the Current Budget Surplus (estimated at $947,000) be transferred to the Reserve for Tax Stabilization,(00135).

g) That the accrual of outstanding Vacation Pay ($3,670,204.03) related to Employees hired prior to 1980 be financed from the Reserve for Tax Stabilization - Working Fund Reserve (00135).

h) That the accrual for outstanding Vacation Pay ($1,942,065.38)for employee's vacation earned from their anniversary date to the end of the year be financed from the Reserve for Tax Stabilization - Working Fund (00135).

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Each year, at this time, Committee and Council approve the distribution, or financing of, the previous year's surplus or deficit. This allows the city to close the books of account on the previous year and prepare the Financial Statements for audit and subsequent presentation to Council and the taxpayers of the City of Hamilton.

Each previous year has brought difficulties and challenges. City Departments and Local boards have embarked on a program of reviewing and monitoring all expenditures and revenues while maintaining levels of service.

Subject to the final adjusting entries the 1996 books have been closed and the estimated surplus is $947,000. Further adjustments may adjust this estimate upward or downward. This surplus has been accomplished through an ongoing restraint program that has resulted in positive performance in some key expenditure areas offset by negative performance in other areas.

Overall Surplus $947,000

VARIANCE ANALYSIS

Detailed year-end variance reports will be provided by the various Departments to their standing Committees during March 1997. A surplus of approximately $1.0 million was earlier forecast based on September 30 quarterly report. That projection also assumed that certain reserve draws, as approved in the 1996 Budget approval, would not be required. However, some of the projections made at that time were too optimistic resulting in a net $686,000 worse position than anticipated. In addition an accrual of approximately $ 332,000 was required to allow for unused 1996 vacation.

Reserves

Recommendations (a),(b) & (c) are based on a request from the Board of the Hamilton Housing Non-Profit and Hamilton Housing Corporations to set up a reserve for future housing Projects from funds derived from excess recoveries from Housing projects related to City Administration.

In 1996 the City celebrated its Sesquicentennial Year. As a result additional expenditures were incurred to host various dignitaries to promote Hamilton. The City maintains a "Reserve for Hosting Special Dignitaries" administered by the Mayor's Office. In 1996 $92,970.25 in expenditures were incurred by that fund, resulting in a deficit position of $58,415.00. A separate reserve entitled Reserve for Hosting Conferences with Municipal Content" exists and has a balance of $102,889.86, excess of known needs. To offset the deficit in the Special Dignitaries Reserve and replenish it to an appropriate level it is recommended that $58,415 be transferred from the Hosting Reserve to the Special Dignitaries Reserve and that $35,000 of the 1996 Current Budget surplus be applied for this purpose for 1997.

Vacation Accrual

Recommendations (g) and (h) above are liabilities that have not been accrued in past years but under the accounting principles for accrual accounting, set by the Ministry of Municipal Affairs, are required to be set up as accruals. It is being recommended that the portion relating to prior years, be funded from the Reserve for Tax Stabilization as this reserve has been funded in past years from current budget surpluses. As previously noted, 1996 unused vacation accruals have been directly charged to 1996 operating accounts.

Beyond these specific recommendations, transfers of surpluses/deficits have already been made, in accordance with previous Council policy to transfer to/from reserves for accounts such as Sick Leave, Benefits, Capital, Workers' Compensation & Building Revenue Reserve. No transitional funding was required from the Tax Stabilization Reserve in 1996.

3. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1996

RECOMMENDATION:

That the attached statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1996 be received by City Council.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Treasurer is required under the Municipal Act, Section 247 to report to Council on the Statement of Remuneration and Expenses to members of Council and members of other bodies by the end of February, for the preceding year.

MBCS:jc
Attachments

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) **Members of Council**

	Salary*
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	20,492.68
Charters, R.	20,492.68
Copps, G.	20,492.68
D'Amico, F.	20,492.68
Drury, D.	20,492.68
Eisenberger, F.	20,492.68
Jackson, T.	20,492.68
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	20,492.68
	$393,459.04

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member	**Honorarium**
Dudzic, M.	$2,100.00
Serwatuk, D.	2,100.00
Begg. E.	2,100.00
Law, B.	2,600.00
Cutler, R.	2,100.00
	$11,000.00

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	**Honorarium**
Allison, H.	$ 900.00
Clothier, R.	600.00
Cooper, H.	1,200.00
Gibson, D.	700.00
Green, R.	500.00
Groves, L.	500.00
Hardie, D.	1,200.00
Holms. M.	900.00
Kaut, H.	1,000.00
Korz, G.	1,250.00
Langdon, D.	300.00
MacIntyre, D.	1,200.00
Penko, G.	1,000.00
Reilly, M.	500.00
Taffs, R.	700.00
VanDerbeek, P.	1,800.00
Woodrow, B.	900.00
Warner, S.	100.00
	$15,250.00

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) **Members of Council**	**Amount**
Agro, V. J.	2,038.51
Anderson, T.	1,994.32
Caplan, M.	2,828.20
Charters, R.	2,063.33
Collins, C.	2,146.27
Copps, G.	nil
D'Amico, F.	1,413.36
Drury, D.	1,971.85
Eisenberger, F.	2,266.18
Jackson, T.	244.26**
Kiss, M.	244.26**
McCulloch, W.	244.26**
Merling, H.	244.26**
Morelli, B.	244.26**
Morrow, R.	26,033.84
Ross, D.	3,564.78
Wilson, D.	244.26**
	$47,786.20

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, G.	$319.75
Rogers, P.	601.46
Kamath, R.	1,787.66
	$2,708.87

(c) H.E.C.F.I. Appointees

Alderman T. Anderson	$1,798.84

(d) Parking Authority Appointees

Alderman V. Agro	$642.36

4. (a)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

D.W. Vyce
Director of Property

SUBJECT: Rescinding Council Resolution for the Construction of an Underground Vault for the Uninterruptable Power Supply - Information Systems

RECOMMENDATION:

That Item 21 of the TENTH Report of the Finance & Administration Committee approved by Council on May 14, 1996 with respect to the award of a Purchase Order for the construction of an uninterruptable power supply system for Information Systems be rescinded.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Purchase Order No. 29431 was issued to Douglas Construction Inc. of Caledonia in the amount of $105,699.95 inclusive of GST and was charged to Capital Budget Account No. CF 319541007 Uninterruptable Power Supply and CF 319541006 Split/Balance Power Supply - Computer Systems.

Amounts released to Douglas Construction Inc. for services rendered up to 1996 July 11 total $10,570 inclusive of GST. This expenditure was for electrical work inside City Hall and for the manufacture of a stainless steel exhaust stack and will not be wasted. Both the electrical improvements and exhaust stack will be reused when the U.P.S. is installed in the new location being proposed for the boiler room adjacent to the City Hall Garage.

By letter of that date to Douglas Construction Inc., it was instructed not to perform any further work nor to proceed to incur further expense. Clause 6 of the Purchase Order conditions permits the City, as Purchaser, to cancel its order at anytime, upon notice in writing to the seller, and, in that event, the City is not liable for costs of work thereafter. Subsequent to Council approval, such notice will be given.

Upon cancellation of the Purchase Order, the above referenced accounts will have a balance remaining of $91,578.59.

BACKGROUND:

Included in the approved 1995-2004 Capital Budget are two Property Department projects pertaining to the supply and installation of an uninterruptable power supply system (U.P.S.) for the Information Systems Department located in City Hall.

On completion, the data processing function of the Information Systems will be provided with an independent electrical power supply system which will eliminate unscheduled and untimely shutdowns as a result of local utility power failure or "brownouts". Furthermore, routine maintenance functions to the City Hall electrical distribution system can be performed without a disruption to the service provided by Information Systems.

City Council approved Item 21 of the TENTH Report of the Finance & Administration Committee at the May 14, 1996 meeting of Council to issue a purchase order in the amount of $105,699.95 inclusive of GST to Douglas Construction Limited of Caledonia to construct an underground vault on the east side of City Hall in order to house the backup diesel generator. The backup generator forms an integral part of the U.P.S. installation.

The location for the underground vault was selected after careful consideration of all available sites. This included a review of existing mechanical spaces ie; Boiler Room. Unfortunately, the space required to accommodate the backup generator was not available.
The scope of work proposed to construct a vault on the east side of City Hall included a fairly large excavation which had the potential of endangering several trees located on the raised lawn area. Concern for the trees lead to a delay in the construction while alternatives were considered. A revised plan was developed which provided the necessary safeguards to minimize stress to the existing trees.
However, the revised plan increased the construction estimate by approximately $35,000. Further

However, the revised plan increased the construction estimate by approximately $35,000. Further delays ensued as staff evaluated the proposed changes and this lead to a postponement of the project due to weather conditions.

Circumstances surrounding space availability in the Boiler Room have changed as a result of the recent announcement from the Canada/Ontario Infrastructure Works Program.

The Provincial Municipal Affairs office recently announced the approval of the City's application to disburse funding previously tied to the C.U.P. Tri-Generation, pending satisfactory execution of the legal agreements, to a number of other City projects identified by City staff and approved by Council. Included within this list of projects is a submission from the Property Department to install a new centrifugal chiller within City Hall. The scope of this project includes the removal of two 37 year old machines and replacing them with one that utilizes a non-ozone depleting refrigerant. In addition, the relocation of an existing third chiller to the designated "Chiller Room" will free up space in the Boiler Room.

The City's consultant, Sandwell Engineering Inc., reviewed the feasibility of utilizing the space in the Boiler Room to accommodate the backup generator. A report received from Sandwell indicates that this is indeed a viable alternative pending MOEE approval and has estimated the installation at $76,500 plus GST. This estimate includes a $10,000 contingency.

Staff concur with the consultant's report since a Boiler Room installation will avoid any excavation, remove any threat to the existing trees, minimize disruption to parking lot traffic flow, simplify the mechanical installation, accommodate the generator (a mechanical piece of equipment) in a mechanical room, and be less costly (approximately $20,000 - $50,000) than excavating and constructing a vault on the east side of City Hall.

To implement this plan staff will need to cancel the purchase order with Douglas Construction of which approximately $10,000 had been previously released for components manufactured. These components which include the stainless steel exhaust stack will be reused in the Boiler Room location. Sandwell Engineering will complete the specifications for the purpose of tendering the installation of the generator and the electrical connection to the U.P.S. The appropriate recommendation will be submitted to Committee and Council for approval once the results of the tender have been received.

The development and tendering of the specifications for the supply and installation of the new centrifugal chiller is underway. The first phase will include the demolition of the two old chillers and relocation of an existing third machine. The second phase will include the supply of the new chiller. Once it is received and situated in the chiller room the installation of the backup generator will commence. It is anticipated that work on installing the backup generator will commence June 30, 1997 pending delivery of the new centrifugal chiller and take approximately 8 weeks to complete.

JGP/DWV/rd

cc. Alderman B. Charters, Chairman, Finance & Administration Committee
A. Ross, City Treasurer
Attention: Chris Rendell, Purchasing Division
P. Noé Johnson, City Solicitor
Attention: Phil Hooker, Senior Solicitor
J. Hindson, Director, Information Systems Department
M. Goldsmith, Manager of Operations, Information Systems
R. Swan, Manager of Building Operations & Maintenance
R.M. Hamilton, Maintenance Coordinator, Property Department
T.J. Fehr, Chief Engineer, Property Department

4. (b)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

(a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 337-339 York Boulevard
(ii) West Limit of Lucerne Avenue at Cochrane Road
(Between 228 and 234 Cochrane Road)
(iii) 71 Horning Drive
(iv) 226 1/2 Grosvenor Avenue

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14, City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

These properties being recommended as surplus have been circulated to all City and Regional Departments and there has been no declared municipal interest, with the following exception:

a) 337-339 York Boulevard

The Roads Department has indicated that the City retain a daylight triangle at the corner of Ray and York for road widening purposes.

REL/nw

c.c. P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
K. M. Lau, Manager of Surveys, Roads Division

PROPERTY DESCRIPTION

(i) 337-339 York Boulevard

Consists of a 5,923 square foot parcel of vacant land located at the south/east corner of Ray Street and York Boulevard acquired in conjunction with the York Street widening project. The property is zoned H/S-745 Commercial and is designated commercial on the approved Strathcona Neighbourhood Plan.

(ii) West Limit of Lucerne Avenue at Cochrane Road (Between 228 and 234 Cochrane Road)

A parcel of vacant road allowance located on the west side of Cochrane Road at Lucerne Avenue measuring 66 feet x 98 feet which came into the City's ownership upon registration of the plan of subdivision many years ago. A 40 foot lot will be sold and a 26 foot strip will be retained as a walkway through to the Hydro lands at the rear.

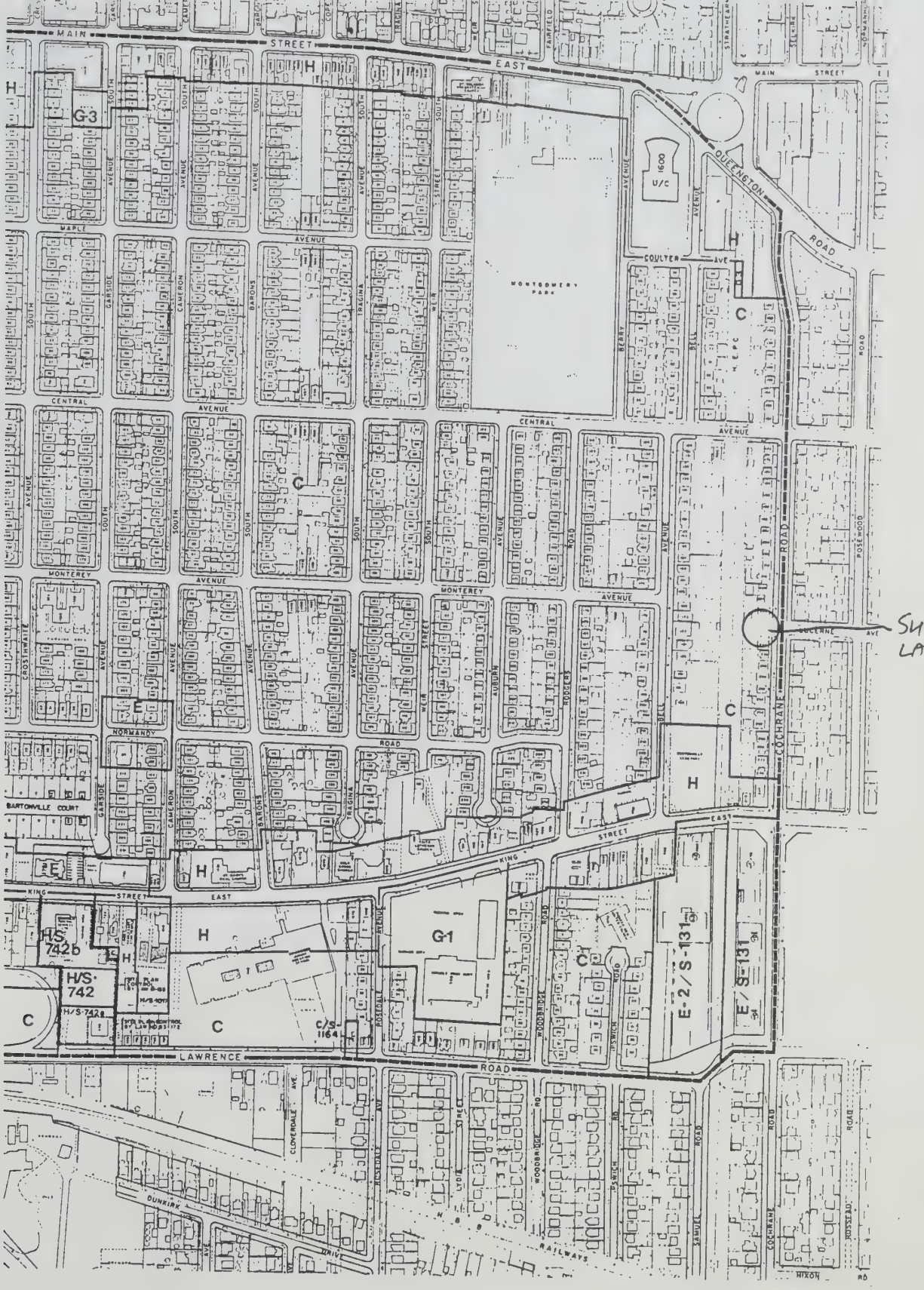
(iii) 71 Horning Drive

A vacant parcel of land 40 feet x 154 feet (totally encumbered as a result of an easement in favour of the Region of Hamilton-Wentworth) was vested with the City by virtue of Instrument No. LT430932 from the Tax Sale of 1996 November 26.

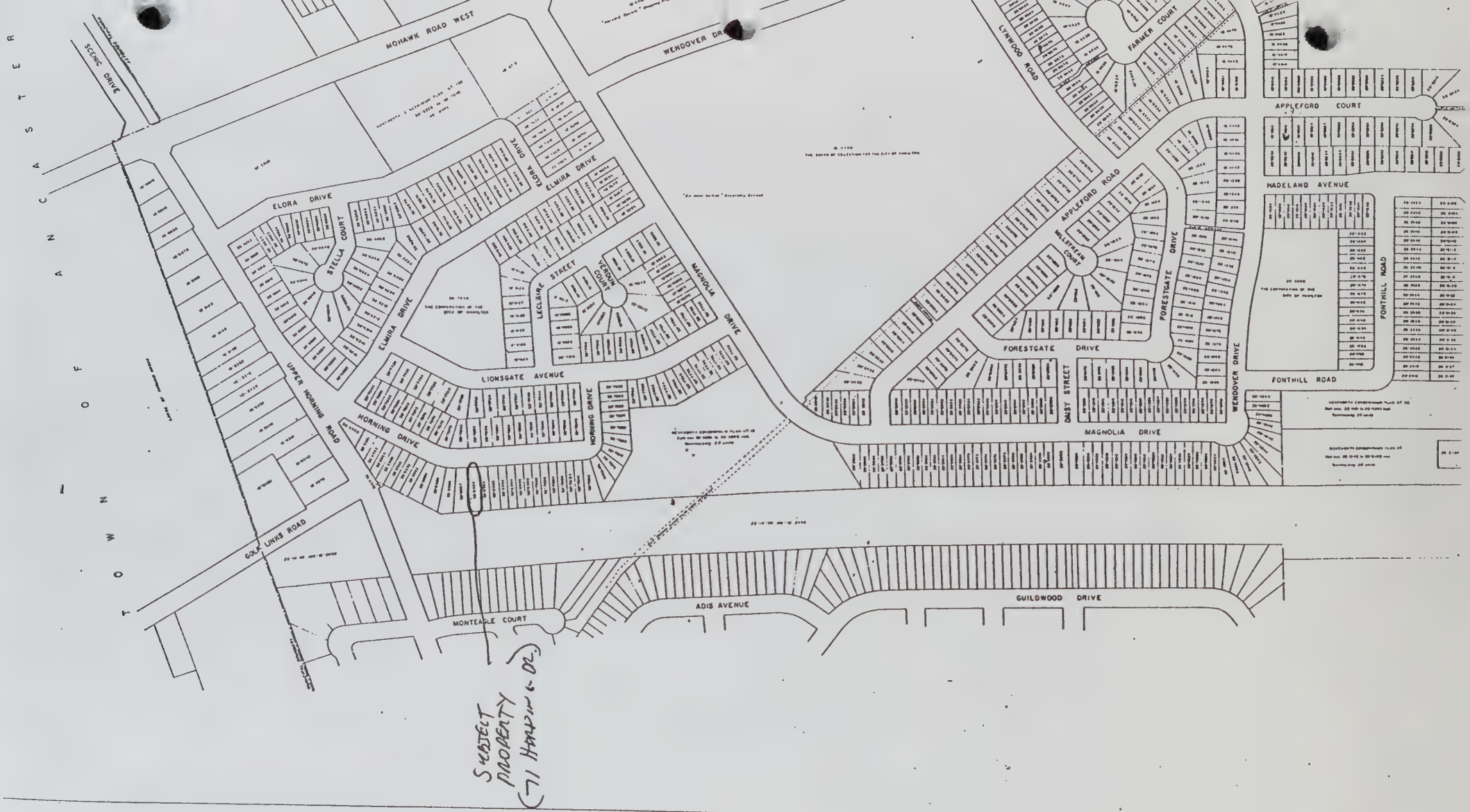
(iv) 226 1/2 Grosvenor Avenue

A vacant parcel of land at 226 1/2 Grosvenor Avenue measuring 20 feet x 25 feet was vested with the City by virtue of Instrument No. LT431045 from the Tax Sale of 1996 November 26.


A/S-569
A/S-450
H/S-481
E/S-481
E-3/S-138
E/S-333
E-3/S-1208a
A/S-1208a
H/S-745
H/S-881a
E/S-450
D/S-450
A/S-1043
E-3/S-066
G-3/S-898
G-3/S-898
H/S-1019
H/S-833
D/S-614
S-1066
BARTON
STREET
WEST
QUEEN
MAIN
KING
GEORGE
HUNTER
FLORENCE
TOM
JONES
DEVONPORT
NORTH
LOCKE
BROOKS
MAY
PEARL
BAY
SOUTH
DUNDURN
STRATHCONA
AVENUE
LITTLE
BOULEVARD
MCNEIL
SUNSET
LAMOREAUX
BAKER
HEAD
HUNT
COCHRANE
BREADALBANE
INCHBURY
KINNELL
YORK
PETER
NAPIER
MORDEN
WELLESLEY
BEER
WALNUT
EDISON
HENRY
MARGARET
NELSON
NEW
SITE PLAN CONTROL BY-LAW 80-003
SITE PLAN CONTROL BY-LAW 80-082
SITE PLAN CONTROL BY-LAW 80-125
SITE PLAN CONTROL BY-LAW 80-162
SITE PLAN CONTROL BY-LAW 80-001
SITE PLAN CONTROL BY-LAW 80-003
SITE PLAN CONTROL BY-LAW 80-162
SITE PLAN CONTROL BY-LAW 80-125



34 | 66 | 105 36 | 9 | 52 122.117 117	CITY OF HAMILTON BARTONVILLE


MOHAWK ROAD WEST
SCENIC DRIVE
ELORA DRIVE
STELLA COURT
ELMIRA DRIVE
ELOMA DRIVE
LACLAIRE STREET
VERDUN COURT
MAGNOLIA DRIVE
LIONSGATE AVENUE
MORNING DRIVE
UPPER MORNING ROAD
GOLF LINKS ROAD
MONTEAGLE COURT
ADIS AVENUE
GUILDWOOD DRIVE
WENDOVER DRIVE
LYNWOOD ROAD
FARMER COURT
APPLEFORD COURT
APPLEFORD ROAD
HADELAND AVENUE
WELLSTEAD COURT
FORESTGATE DRIVE
FONTHILL ROAD
DAISY STREET
MAGNOLIA DRIVE
SUBJECT PROPERTY (71 HANSON DR.)



71	72	73
126	35	34
12	37	38

CITY OF HAMILTON

CROWN POINT WEST

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

- RECOMMENDATION -

5.

DATE: 1997 February 10

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.G. Pavelka, P.Eng.,
Chief Administrative Officer

Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Supplier for Desktop Computers (INF 97-102).

RECOMMENDATION:

(a) That the following four qualified Vendors be approved for the supply and delivery of Hewlett Packard Pentium PC Desktop Computers for a one year period to March 31, 1998 :

- 4 Office Automation, Burlington
- JMG, Hamilton
- GE Capital, Mississauga
- Telecom, Burlington

b) That the Purchasing Manager (or Designate) obtain monthly quotations from the above qualified companies for each following month's requirements and, all other factors being equal, choose the lowest quoting company to fill that month's requirements.

(c) Funding to be provided from Account # CH56605-26032 (Workstation Leasing)

J.G. Pavelka, P.Eng.

J.G. Hindson, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding is provided within the approved annual budget.

BACKGROUND:

Requests for Proposals for the supply of Desktop computers were sent to potential suppliers in accordance with specifications issued by the Manager of Purchasing. The closing date for the Proposals was 1997 January 31st. Twenty (20) proposals were subsequently received. The Proposals were subsequently reviewed and are presented in the attached table.

The objective in reviewing and recommending suppliers is to obtain the equipment capabilities and functionality required in accordance with the specifications, and adequate supplier support and service, at the lowest total cost.

The market for desktop computers has been undergoing rapid changes. It is now not unusual to have model changes every 60-90 days and price changes monthly. As the result of discussions between Purchasing and Information Systems a streamlined, and simplified RFP document for this equipment has been introduced. A method to access potentially lower prices in consideration of more frequent price changes is recommended.

The total annual purchases for PCs for the upcoming year for both the City and Region is estimated at $ 1.270 million. This expense is primarily associated with replacing PCs that are at the end of their lease period. These work-stations are leased on a three year basis and are funded from Account # CH 56605-26032 (Workstation Leasing).

It is subsequently recommended that the four authorized Hewlett-Packard dealers (4 Office, JMG, GE Capital, and Telecom) that submitted the lowest cost be used for price comparisons and competitive quotes for a one year period. In one year's time a new RFP will be issued to all potential suppliers.

Based on the prices quoted in response to the current RFP, 4 Office is the successful vendor for the first month's requirements.

1997 SUMMARY OF PROPOSALS *(1997 JANUARY 11TH)* FOR THE SUPPLY OF MICROCOMPUTER WORKSTATIONS:

SUPPLIER	LOCATION	PRICE/MAKE
4 Office *[1]*	**Burlington,**	**$1,955 HP**
Amsdell	Richmond Hill	$1,965 HP
Amsdell	Richmond Hill	$1,960 DEC
JMG *[1]*	**Hamilton**	**$1,990 HP**
Hypertec	Mississauga	$2,010 HP
GECaptial	Mississauga	$2,010 DEC
GECapital *[1]*	**Mississauga**	**$2,011 HP**
Telecom *[1]*	**Burlington**	**$2,088 HP**
Hypertec	Mississauga	$2,120 DEC
MCW	Cambridge	$2,161 HP
Leppert Business Systems	Hamilton	$2,163 DEC (133 MHZ)
Centennial	Hamilton	$2,168 DEC
Compugen	Richmond Hill	$2,169 HP
Compugen	Richmond Hill	$2,174 DEC
Audcomm	Hamilton	$2,234 HP
Centennial	Hamilton	$2,248 HP
Norseman	Burlington	$2,582 DEC
Norseman	Burlington	$2,714 HP
MicroAge	Burlington	$2,784 HP
PPC	Burlington	$2,989 HP

Notes:
[1] Qualified by the Manufacturer (Hewlett-Packard) as authorized sales and service dealers
HP - Hewlett Packard
DEC - Digital Equipment Corporation

No bid
Multi Purpose Computers, Burlington
Access Computer Service, Oakville

c.c. Mr. C. Mascarenhas, Manager of Accounting & Purchasing

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1997 February 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: **Information Technology - Consulting Services**

RECOMMENDATION:

(a) That Western Management Consultants be retained for a cost of up to $25,000 to provide technical and management services to assist with the implementation of the recommendations from the "Operational Review of the Information Systems Department" by LGS Group Inc., September 1996; and,

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Consulting Services up to $25,000 will be incurred. Account Number CH 55406 24101 in the proposed 1997 Current Budget contains $100,000 for such consulting services deemed necessary by the Corporation.

BACKGROUND:

On November 05, 1996, the Finance and Administration Committee considered a report dated 1996 October 18 from the Steering Committee for the Operational Review of the Information Systems Department and subsequently approved the following recommendations:

(a) That the LGS Report recommendation #1 concerning the formation of Information Technology (IT) Steering Committees made up of senior managers of each respective Corporation be forwarded to the respective CAOs for implementation.

Note: The formation of IT Senior Management Steering Committees has been previously discussed with the CAOs and both Management Teams and they support this recommendation.

(i) That the LGS Report recommendation #2 concerning the establishment of a Consulting Group within Information Systems be forwarded to the respective IT Steering Committees for consideration; and,

(ii) That the LGS Report recommendation #3 concerning the development of a Corporate IS Strategic plan be forwarded to the IT Steering Committees for consideration; and,

(iii) That the Corporate Steering Committee forward a plan to improve the quality and quantity of PC support services to the IT Steering Committees (LGS Report recommendation #7); and,

(b) That the Corporation Steering Committee report back to the Administration Services and the Finance & Administration Committees concerning the feasibility of implementing "Lights Out Operation" of the data centre including the impacts on individual user departments (LGS Report recommendation #4); and,

(c) That the LGS Report recommendation #5 concerning the potential of reducing Payroll costs be referred to the Finance, Treasury and Human Resources departments for review and a report back on the feasibility of outsourcing payroll processing; and,

(d) That the Corporate Steering Committee implement an action plan that will improve customer service, match the detailed findings in the LGS Report and include quarterly progress reports to the CAOs (LGS Report recommendation #6); and,

(e) That any recommendations arising from the LGS report that include additional expenditures and/or staffing be referred to the budget approval processes for consideration.

DISCUSSION:

The Corporate Management Team consisting of the following Department Heads has been established as the City of Hamilton's Information Technology (IT) Steering Committee and will respond to the findings and recommendations in the LGS report - September, 1996.

J. Pavelka, Chief Administrative Officer
R. Fair, Director of Culture & Recreation
L. King, Building Commissioner
D. Lobo, Commissioner of Public Works and Traffic
P. Noé Johnson, City Solicitor
A. Ross, City Treasurer
J. Schatz, City Clerk

Along with the Director of Information Systems, J. Hindson, there has been focus on the following:

A. Service Trends
- ♦ Changing Technology
- ♦ Information Technology Levels
- ♦ Networking
- ♦ PC Workstations

B. Cost Trends
- ♦ Expenditures and Revenues for
- ♦ administration/planning
- ♦ systems/analysis
- ♦ programming
- ♦ central processing unit
- ♦ disk and tape
- ♦ host matrix
- ♦ host laser
- ♦ user software
- ♦ data entry
- ♦ network services
- ♦ support services
- ♦ PC workstations

C. Roles and Responsibilities

CONCLUSION:

Recognizing that the resident expertise is stretched and is also shared between day-to-day operations and the strategies on information technology, the Corporate Management Team are of the opinion that additional expertise is required. External expertise on information technology in addition to accelerating the work will also infuse outside knowledge to further enhance the advancement of operations of the Information Systems Department.

Representatives with Western Management Consultants were directly involved with the LGS Group Inc. report of September 1996 and are aware of the existing strengths and weaknesses of the department. Therefore, it is in the City's best interests to retain their expertise and services to facilitate this process to move the City in a more expeditious fashion into a strategic IT direction.

Furthermore, discussions with the Region's Chief Administrative Officer has confirmed that the Region of Hamilton-Wentworth's Management Board shares the same concerns and interest in proceeding expeditiously with a strategic IT direction.

JGP:dd
Attach.

c.c. M. Fenn, Chief Administrative Officer
J.G. Hindson, P.Eng., Director of Information Systems
A.C. Ross, Treasurer

Recommendations

The following actions are recommended to address the key issues uncovered by the study.

1. ***The senior business managers of each Corporation should take responsibility for providing overall guidance in the use of IT.***

Steering Committees should be formed (one in each of the Region and the City) to address the following areas:

- *Major IT initiatives* - monitor progress and resolve issues and political problems;
- *Direction* - establish and support priorities and ensure the right things are being addressed;
- *Investment* - ensure proper levels of funding and staffing are in place;
- *Communications* - ensure all levels of management are appropriately engaged in the process;
- *Customer Service* - promote stronger relationships between the IS Department and its users.

The Committees should meet at least quarterly and be chaired by a senior business manager.

The Committees will be the principal mechanism for senior managers to exercise control over the expenditure and application of IT resources.

2. ***The IS Department should establish a Consulting Group within itself to provide more effective service.***

The role of the group will be to help user departments acquire and implement effective solutions for their business initiatives. Typically, the solutions will involve packaged software in a PC-networked environment.

This group can play a major role in changing the perception of the user community that IS cannot help. The selection of staff for the group will be critical and some training will be required.

Four people should be enough to start with and the staff should be re-assigned from other duties within the IS Department. Senior management must approve the re-allocation of resources.

3. The Corporations should develop Strategic Plans for IS.

The plans will tie the business directions, priorities and philosophies of the Corporations to the pattern of investment in information technology. They are perhaps the most important tool in ensuring the most value is obtained from the investment.

Two separate plans will be required although there will be several common "chapters" since many of the applications and much of the technology overlaps.

4. The Corporations should pursue "Lights Out Operations" to significantly reduce IS costs.

Through special software and changes in roles and responsibilities, the need for computer operators can be drastically reduced. There are currently 4-5 people. Typically, the user groups will have more responsibility for running their computer applications.

Outsourcing is another alternative in this area. It would involve outsourcing all of the computer operations and support ($1.9 M). This option could reduce costs but would also provide great flexibility and break the zero-sum game. Outsourcing will involve 15-20 staff members and the current collective bargaining agreements require that other positions be found for these staff. This requirement makes outsourcing problematic at this time. If these conditions change, outsourcing should be seriously pursued.

The cost of hardware will significantly decrease in 1998 and 1999 due to the termination of some leases. The savings amount to 35% of the current budget. It is likely that these savings will be used to migrate to other computer platforms and so, the net costs to the users will not go down.

5. The Corporations can significantly reduce payroll processing costs.

The current IT costs are $525,000 per year to process payroll including HR, pension and benefits. The total cost is 50 - 100% higher, when the clerical staff and manual processing costs are calculated. The new HR system is expected to reduce the cost of the payroll processing by approximately 25%. The new HR system will not replace the current system.

Comcheq, a leading supplier of payroll services, is supporting several other municipalities and have reported achieving 25-50% reductions in the total cost. A team of City/Region staff have met with Comcheq and agreed that there are no significant roadblocks to pursuing these same savings.

The savings will require re-engineering processes and procedures, providing higher levels of automated support and obtaining economies of scale in the computer processing. Senior managers from the Corporations will have to be directly involved to ensure a proper outcome.

The City and the Region are engaged in a Shared Services Project, which is aimed at revamping Financial Services, including payroll. This effort should be coordinated with the services available from outsourcing suppliers to obtain the most effective solution.

6. ***The managers of the IS Department must establish themselves as customer oriented, team players, motivated to help the Corporations meet their business challenges.***

A change in attitude is essential if a new partnership is to be formed and more effective results obtained. The CAO's of the two Corporations should work with the IS Director to develop specific and measurable action plans. The plans should match the detailed findings of the report with specific goals. The result will be changed behaviour, including a more precise definition of roles and responsibilities. The plans should be reviewed every quarter.

One specific action should address the need for methodologies for systems development and project management.

The IS Department cannot afford to treat the City and Region customers any differently. Senior management must take responsibility for resolving political and management issues and not leave the IS Department in the lurch.

7. ***The quality of PC support services must be upgraded.***

More effective and higher quality service can be obtained by managing the group more effectively and adding resources.

The management should be improved through training, establishing standards, measuring performance, assigning roles and responsibilities and performing regular reviews.

One or two more staff are required to provide good quality support. New staff should not be hired until all of the other issues addressed in this report are dealt with. Senior management should decide how many additional staff are required at what time. Possible sources include diverting programming staff from other duties, moving to "Lights Out Operations" and retraining the operators or using R&D money to hire contractors on a temporary basis.

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 6

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: G.L. Desjarlais
Acting Fire Chief

P. Noé Johnson
City Solicitor

SUBJECT: Amendments to Fireworks By-Law No. 90-198

RECOMMENDATION:

That the amending By-law, attached herewith, and marked as Appendix A, be approved for enactment by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not Applicable

BACKGROUND:

The proposed amending By-law makes two (2) changes to the existing By-law.

1. The existing Fireworks By-law allows family fireworks to be set off only on Victoria Day and Canada Day. Due to inclement weather conditions, citizens will often set off family fireworks a day earlier or a day later than the two allowable dates. This is in contravention of the existing By-law but is a natural decision for parents to make if rain is forecast for Victoria Day or Canada Day. The original intent of the By-law with respect to family fireworks was to restrict their use to reasonable time limits during the course of the year. Setting off family fireworks on the day before or after the actual holiday is a realistic reaction to inclement weather, which within the intent of the By-law, does not create an unacceptable additional hazard to our community.

   The change being recommended is a reasonable amendment which would allow the setting off of family fireworks on Victoria Day and Canada Day plus the day preceding and following Victoria Day and Canada Day.

2. The penalty section of the existing By-law refers to a fine of $2,000. The Province has changed the wording of the Municipal Act so that the municipality may create an offence, but the penalty is specified by the Provincial Offences Act. The current maximum fine under that Act is $5,000.

   The change being recommended will update the By-law to the current Provincial Offences Act.

JRW/bjr
Attachment

cc J. Schatz, City Clerk

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

To Amend

By-law No. 90-198

Respecting:

FIREWORKS

WHEREAS By-law No. 90-198 was enacted on June 26, 1990 to regulate the sale and setting off of family fireworks;

AND WHEREAS Council, on (specify), 1996, in adopting Section (section) of the (specify) Report of the Finance and Administration Committee, authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 7, subsection (1) of By-law No. 90-198 is repealed and replaced with the following:

   (1) "No person shall set off family fireworks except on Victoria Day, Canada Day and the day preceding and following Victoria Day and Canada Day."

2. Section 29 of By-law No. 90-198 is repealed and replaced by the following:

   29. Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended

PASSED this day of 1997.

CITY CLERK MAYOR

HAMILTON INTERNATIONAL AIR SHOW FOUNDATION

150 King Street East, Suite 418
Hamilton, Ontario, L8N 1B2
Bus: (905) 528-4425 Fax: (905) 528-8499

DISPLAY DATES:

8.

17 January 1997

SENT BY FAX AND MAIL

Kevin C. Christenson
Legislative Assistant
City of Hamilton
City Clerk's Office
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Kevin:

Re: Civic Reception - Friday, June 13, 1997

Planning for the 22nd Hamilton International Air Show is in full gear. In previous years, the City of Hamilton has provided invaluable support by sponsoring a Civic Reception for participants and volunteers. These receptions have proved to be important components of our hosting responsibilities for air crews from around the world.

We have partnered with the Canadian Warplane Heritage Museum with respect to the participation once again of their entire fleet at our premier Air Show in 1997.

As a part of our partnership with the museum, the Civic Reception will be held in their hangar on **Friday, June 13, 1997**. The reception will be representative of our previous successful Civic Reception with the promise of great food, great times and great entertainment.

Once again, we are requesting that the City of Hamilton be a part of this evening's event by being a sponsor of the 1997 Civic Reception. As you are aware, the City of Hamilton graciously sponsored this event in 1996 in the amount of $5,000.00.

As the Hamilton International Air Show grows in size and reputation, the benefits to the City and Region are considerable.

We have greatly appreciated your continued support in the past and look forward to a long-lasting partnership in the future.

Sincerely

Sandra J. Wells

Sandra J. Wells
Operations Manager

8. (a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 January 30

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **1997 Civic Reception - Hamilton International Air Show - Friday, 1997 June 13th**

BACKGROUND:

Attached is correspondence dated 1997 January 17th from the Operations Manager, Hamilton International Air Show Foundation requesting the City of Hamilton to host a Civic Reception for the participants and volunteers of the show at a requested amount of $5,000.

1997 marks the 22nd year for the Hamilton International Air Show. Since its inception, the City of Hamilton has hosted a Civic Reception in honour of the flight crews and volunteers.

While the Region provides major funding for the Air Show, the traditional hosting of a Civic Reception during this event has not been seen as duplicate funding or in breech of the City's Grant Policy since the Air Show and the Civic Reception have been viewed as two separate events.

In the past, funding for this event has been charged to Account No. CH 55314 84010 (Special Civic Receptions and Delegation Hostings). Should the Committee approve this request, sufficient funds are available in this account to cover the requested amount of $5,000 for this year's reception.

For the Committee's information, the following is a listing of recent funding requests and approvals given for this Civic Reception:

Year	Request	Amount Approved
1996	$7,000	$5,000
1995	$7,000	$5,000
1994	$8,500	$7,000
1993	$8,500	$8,500
1992	$9,000	$8,000
1991	$9,000	$9,000

Susan K. Ryder

Attachment

cc A. Ross, Treasurer

9.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Referral from City Council - Resolution - Hamilton and District Labour Council - Potential Impact of Bill 99 on Municipal Taxes

DATE: 1997 February 12

Please be advised that City Council at its meeting held Tuesday, 1997 February 11th were in receipt of correspondence dated 1997 February 1st from the President of the Hamilton and District Labour Council respecting the above noted matter.

This will confirm that City Council agreed to refer this correspondence to the Finance and Administration Committee.

JJS/SKR

Attachment

HAMILTON AND DISTRICT LABOUR COUNCIL CLC.
1130 Barton Street East, Suite 210 Hamilton, Ontario, L8H 7P9 547-2944 Fax 547-4006
President Wayne Marston Secretary Bob Sutton

February 1, 1997

Joe Schatz
Secretary to the City Council
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Re: Resolution on the potential impact of Bill 99 on Municipal Taxes

I am writing on behalf of the Hamilton and District Labour Council to ask that the attached resolution which seeks to address the potiential impact of the Provincial Government's Bill 99 on Municipal Expenditures, be placed before the City Aldermen for their consideration at the next meeting of City Council.

Sincerely,

Wayne Marston
President

city9701.let
opeiu - 343

THE IMPACT OF BILL 99 ON MUNICIPAL EXPENDITURES

WHEREAS the Ontario government has introduced Bill 99, legislation which completely rewrites the Workers' Compensation Act;

AND WHEREAS Bill 99 limits or outlaws compensation for certain disabilities compensated under the current Act;

AND WHEREAS traditional sickness and accident insurance programs view these disabilities as work related and are not likely to take responsibility for compensating the disabled worker for them;

AND WHEREAS Bill 99 reduces inflation protection for unemployed workers with permanent disabilities by 75 per cent(workers who are not eligible to make Canada Pension Plan contributions), drastically reducing their income in their later years;

AND WHEREAS our health care system and social assistance programs will be expected to provide care and income for those workers whose work related disabilities are not recognized by the workers' compensation and private insurance systems.

THEREFORE BE IT RESOLVED that City Council of Hamilton call upon the provincial government to commission a comprehensive study to examine the impact Bill 99 will have on municipal expenditures and to do so before any changes to the workers' compensation legislation are enacted.

BE IT FURTHER RESOLVED that as part of the study the Provincial Government hold public hearings on bill 99 in the City of Hamilton in order that all of our citizens and organizations who have an interest in these important changes have an opportunity to be heard.

BE IT FINALLY RESOLVED that the City Council of Hamilton ask that the provincial government guarantee to provide local government with the necessary funding to cover all expenses which may be downloaded to the municipality as a result of Bill 99.

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 February 18
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held on Tuesday, 1997 February 4th

B. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS**

Payment of 1997 GEAC (formerly Dunn and Bradstreet Software) Maintenance Invoice (I/S 97-101)

C. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES**

Appointments to and Terminations From Permanent Positions

D. **CITY SOLICITOR**

By-law - Transfer of Debenture Proceeds

E. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1997 February 4
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman M. Kiss
Alderman D. Wilson
Alderman C. Collins
Alderman T. Anderson
Alderman D. Drury
Alderman V. J. Agro

Also present: Alderman H. Merling
Alderman T. Jackson
Alderman B. Morelli
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. Schatz, City Clerk
Acting Fire Chief Desjarlais
D. Vyce, Director of Property
J. Hindson, Director of Information Systems
C. Stableford, H.S.P.C.A.
L. Farr, Law
C. Mascarenhas, Treasury
J. Winn, Fire Prevention Bureau
T. Daw, Treasury
Susan K. Reeder, Secretary

A G E N D A

The Committee agreed to move its In Camera agenda to the end of the meeting.

With respect to the Consent Agenda, Alderman Wilson declared a conflict of interest to Item C as the property involved has been sold to Bell Canada, and he is an employee of Bell Canada.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 January 21st, and approved these minutes as circulated.

B. CHIEF ADMINISTRATIVE OFFICER - Hamilton Corporate Challenge

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 January 15, respecting the above noted matter and approved the following:

(a) That an amount of $2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1997 June 8, at Christie Conservation Area; and,

(b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

C. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY -Release of Development Covenants - 1342 Stone Church Road East**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 January 27, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton confirm that it claims no interest in the property known municipally as 1342 Stone Church Road East, Hamilton, that had been sold in 1977 to Bell Canada, subject to development covenants in favour of the City set out in our 1977 deeds to Bell registered as Instrument Nos. 70118C.D. and 64016L.T. This property is being released from these covenants as they have been fulfilled; and,

(b) That the Mayor and City Clerk be authorized and directed to execute documents for the said release in a form satisfactory to the City Solicitor.

D. **CITY CLERK - 1997 Membership Invoice - Association of Municipalities of Ontario**

The Committee was in receipt of a report from the City Clerk dated 1997 January 27, respecting the above noted matter and approved the following:

(a) That the City renew its membership for 1997 with the Association of Municipalities of Ontario at a fee of $13,161.52; and,

(b) That staff be authorized to remit this payment at a cost to be financed from Account No. CH 56011-10032 - Memberships.

E. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 January 30, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Chief Administrative Officer and Director of Property - 571 Kenilworth Avenue North - Andrew R. Kay Property - report dated 1997 January 22nd

(b) Correspondence - Canadian Football Hall of Fame and Museum Management Committee - Grey Cup Festival Proposal for the year 2005 - letter dated 1996 December 12th

(c) Recommendation - Transport and Environment Committee - from the Commissioner of Public Works and Traffic - City of Hamilton's "Flat Rate Fee" for the Recovery of Servicing Costs associated with 0.30 Metre Reserves - report dated 1997 January 23rd

(d) Correspondence - Mayor Frank Faubert, City of Scarborough - Legal Challenge - Bill 103 - letter dated 1997 January 27th

(e) Correspondence - Regional Clerk - Government Restructuring - letter dated 1996 December 19th

3. TREASURER

(a) **Tax Registration - Administration Fees**

The Committee was in receipt of a report from the Treasurer dated 1997 January 31, respecting the above noted matter.

The Committee approved the following for presentation to the Committee of the Whole:

> That the proposal to increase the administration fee charged on tax arrears properties after the one year redemption period has expired, from $400 to $885 effective 1997 January 1, be forwarded to the Committee of the Whole for consideration as part of the 1997 Current Budget Process.

(b) **Payment Proposal - Hamilton Firefighters Drum Corps Inc. - 175 Dartnall Road**

The Committee was in receipt of a report from the Treasurer dated 1997 January 31, respecting the above noted matter.

The Committee approved the following:

(a) That the City Treasurer be authorized to accept the following financial arrangements for payments required under the Interest Free Loan Agreement between the City of Hamilton and the Hamilton Firefighters Drum Corps Inc. with respect to the property at 175 Dartnall Road:

(i) The first two quarterly instalments for the year 1997, in the amount of $10,700 each, be deferred to the end of the repayment period; and,

(ii) The monies equivalent to the first two payments for the year 1997, in the amount of $21,400, be applied to the outstanding balance of 1996 Realty Taxes applicable to 175 Dartnall Road and to provide for payment toward the 1997 Taxes; and,

(iii) Commencing 1997 July 1, quarterly payments towards the Interest Free Loan be reduced from an amount of $10,700 to an amount of $8,000; and,

(b) That the City Solicitor be authorized and directed to prepare an Amending Agreement to the original 25 Year Lease Agreement, between the City and the Hamilton Firefighters Drum Corps Inc., incorporating the amendments contained in Section (a)(i) and Section (a)(iii) above.

(c) **Procurement Card Pilot Project**

The Committee was in receipt of an Information Report from the Treasurer dated 1997 January 31, respecting the above noted matter.

Considerable discussion ensued on this pilot project and the need for the cards.

The Committee then approved the following:

(a) That a Pilot Project be undertaken with the Canadian Imperial Bank of Commerce, to evaluate the benefits and cost savings of introducing Procurement Cards; and,

(b) That the City Treasurer report back to the Finance and Administration Committee on the results of the Pilot Project.

Note: Alderman Kiss opposed

4. **TREASURER AND CITY SOLICITOR - Tax Exemption - Hamilton Society for the Prevention of Cruelty to Animals**

The Committee was in receipt of a joint report from the City Solicitor and the Treasurer dated 1997 January 31, respecting the above noted matter.

The Committee approved the following:

(a) That the appropriate By-law to authorize an agreement under Section 210.1 of the Municipal Act with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility be enacted; and,

(b) That upon the passage of the By-law, the Mayor and City Clerk be authorized to execute an Amending Contract satisfactory to the City Solicitor with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility; and,

(c) That upon passage of the By-law, the City Clerk shall give written Notice of the By-law to the Minister of Education and Training.

5. **ACTING FIRE CHIEF - 1997 Service Fee Schedule - Hamilton Fire Department**

The Committee was in receipt of a report from the Acting Fire Chief dated 1997 January 23, respecting the above noted matter.

The Committee approved the following for presentation to the Committee of the Whole:

That the proposed Service Fee Schedule for the Hamilton Fire Department, be forwarded to the Committee of the Whole for consideration as part of the 1997 Current Budget process.

6. **REFERRAL FROM CITY COUNCIL - Term of Office - City's Appointee to the Hamilton Harbour Commission**

The Committee was in receipt of a memorandum from the City Clerk dated 1997 January 29, respecting the above noted matter.

Considerable discussion ensued on this matter, and the Committee approved the following:

That the current term of office of the City's appointee to the Hamilton Harbour Commission be extended until 1997 September 1.

Note: Alderman Collins and Kiss opposed.

ADDED - MAYOR MORROW - 1997 The Canadian Figure Skating Association Champions Series Final

The Committee was in receipt of an added report from the Mayor, dated 1997 January 30th respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton provide funding in the amount of $5,390.34 for twenty-five street banners for the 1997 ISU Championships Final, being held in Hamilton on 1997 February 28th to March 2nd; and,

(b) That the City of Hamilton provide funding in the amount of $1,737.27 for a reception for ISU volunteers to be held on Monday, 1997 February 24th; and,

(c) That total funding in the amount of $7,127.61 be charged to Account CH 54314 84010 (Reception Delegate Hosting Account).

ADDED - CORRESPONDENCE - CHARLES ELEVELD, TAXPAYERS COALITION OF HAMILTON WENTWORTH - GREY CUP

The Committee was in receipt of a copy of the above noted correspondence respecting a number of concerns about the recent Grey Cup Event held in Hamilton.

As a result of discussion on this matter, it was agreed that this correspondence should be referred to the City Clerk for a response.

ADDED - CORRESPONDENCE - ELMER FYFE - GREY CUP EVENT AND NHL BID

The Committee was in receipt of a copy of the above noted correspondence respecting the Grey Cup Event and the City's NHL Bid.

As a result of discussion on this matter, it was agreed that this correspondence should be referred to the City Clerk for a response.

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR - Indemnification By-law

(a) That By-law No. 91-089 respecting Indemnification of City Employees be repealed; and,

(b) That a by-law to indemnify employees be enacted.

8. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 February 4

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 10

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J.G. Pavelka, P.Eng.
Chief Administrative Officer

Mr. J.G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Payment of 1997 GEAC (formerly Dunn and Bradstreet Software) Maintenance Invoice (I/S 97-101)

RECOMMENDATION:

That the 1997 invoice for $94,396. (plus GST) from GEAC in Mississauga (formerly Dunn and Bradstreet Software) be authorized for payment from Account CH 5609X-26021 (User Software).

J.G. Pavelka, P.Eng.

J.G. Hindson, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of the invoice is within the estimated amount included for this service in the 1997 operating budget.

BACKGROUND:

The Region and the City of Hamilton currently utilize computer software from GEAC (which acquired Dunn and Bradstreet Software in 1996) for their Human Resources, Payroll/Personnel and Financial Information systems.

Under the terms of the Agreement, each licensee of the products pays an annual maintenance fee for the software. The software maintenance fees entitle each user to software enhancements and upgrades at no cost, software problem bulletins and, in particular, provides for 24 hour support for the software to assist with any difficulties or problems encountered.

In 1996, twenty maintenance changes provided by DBS (now GEAC) were applied to the Financial System components and seven maintenance changes were applied to the Payroll/Human Resources components, including the major revisions associated with the change from UIC to Employment Insurance (EI). Staff reported more than 50 support contacts with DBS in 1996 not including the support from DBS that was acquired directly via the DBS on-line support service.

The maintenance fees in 1996 and 1995 were $ 94,396 and $97,240 respectively. In 1997, the maintenance invoice for the current GEAC software modules in use is $94,396 and is due for payment on 1997 January 1.

C.

CITY OF HAMILTON

- RECOMMENDATION -

FEB 10 1997

DATE: 1997 February 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-003-97)

RECOMMENDATION:

That the attached listing of Appointments to and Terminations From Permanent positions with the Corporation to 1997 February 6 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Margaret Violin	I	Accounting Clerk	H.E.C.F.I.	Replacing Mr. J. Whitwell – resigned, Nov. 29/96	$31,563.48 to $37,117.60	Jan. 01/97

Prepared February 6, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Melissa Farr	Invoice Checking Clerk	Treasury	Resigned	5 years, 6 months	Dec. 31/96
Mr. Donald Patterson	Curatorial Assistant Dundurn Castle	Culture & Recreation	Terminated	18 years, 11 months	Dec. 27/96

Prepared February 6, 1997

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 6

FEB 7 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Transfer of Debenture Proceeds

RECOMMENDATION:

That the attached By-law to amend By-law No. 95-18 and By-law No. 95-090 be enacted by City Council

P Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

Council, on February 27, 1996, in adopting Section 7 of the 2nd Report of the Committee of the Whole, authorized the transfer of debenture authority from the Co-generation Project to several other projects. The Province recently sent the City the Infrastructure Amending Agreement to authorize the projects described in the By-law as Infrastructure projects.

PNJ:LEF:as

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend

By-law No. 95-18 and By-law No. 95-090

To Authorize

A TRANSFER OF DEBENTURE PROCEEDS

WHEREAS the Co-Generation Project was approved as a Canada/ Ontario Infrastructure Project;

AND WHEREAS the Co-Generation Project was approved by By-law No. 95-18 at a debenture amount of $2,021,500.00;

AND WHEREAS the debenture portion of the Co-Generation Project was increased to $3,685,500.00 by By-law No. 95-090;

AND WHEREAS the debentures previously authorized by Council have not been sold;

AND WHEREAS City Council, on January 30, 1996, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized a reduction of the Co-Generation Project funding and a transfer of $400,000.00 from the Co-Generation Project to the Creative Playstructure Project;

AND WHEREAS City Council, on February 27, 1996, in adopting Section 7 of the 2nd Report of the Committee of the Whole authorized a further reduction of the Co-Generation funding, a transfer of the funds to the projects listed on Schedule "A", and a cancellation of $366,667 of the previously approved debenture funding;

1. The City Treasurer is hereby authorized to transfer $2,054,833.00 from the Co-Generation Project to the projects listed on Schedule "A".

2. The City Treasurer is further authorized to reduce the Co-Generation Debenture authorization by $366,667.00, representing the additional projects funded by the Reserve for Debt Charges.

3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of , 1997.

CITY CLERK MAYOR

(1996) 2 R.C.W. 7, February 27

SCHEDULE "A"

	Project	Gross Cost	Federal & Provincial Subsidies	Debenture Amount	Term of Debenture
2)	City Hall - Replace Existing Chillers & Associated Equipment	$ 340,000	$ 226,667	$ 113,333	20 years
4)	Renovate the Fire Station at Woodward and Melvin	$ 200,000	$ 133,333	$ 66,667	20 years
6)	Playstructure Redevelopment	$ 300,000	$ 200,000	$ 100,000	20 years
7)	Roadway & Sidewalk Reconstruction	$4,124,500	$2,749,667	$1,374,833	20 years
	Creative Playground	$ 400,000	0	$ 400,000	20 years
				$2,054,833	

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend

By-law No. 95-18 and By-law No. 95-090

To Authorize

A TRANSFER OF DEBENTURE PROCEEDS

WHEREAS the Co-Generation Project was approved as a Canada/ Ontario Infrastructure Project;

AND WHEREAS the Co-Generation Project was approved by By-law No. 95-18 at a debenture amount of $2,021,500.00;

AND WHEREAS the debenture portion of the Co-Generation Project was increased to $3,685,500.00 by By-law No. 95-090;

AND WHEREAS the debentures previously authorized by Council have not been sold;

AND WHEREAS City Council, on January 30, 1996, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized a reduction of the Co-Generation Project funding and a transfer of $400,000.00 from the Co-Generation Project to the Creative Playstructure Project;

AND WHEREAS City Council, on February 27, 1996, in adopting Section 7 of the 2nd Report of the Committee of the Whole authorized a further reduction of the Co-Generation funding, a transfer of the funds to the projects listed on Schedule "A", and a cancellation of $366,667 of the previously approved debenture funding;

1. The City Treasurer is hereby authorized to transfer $2,054,833.00 from the Co-Generation Project to the projects listed on Schedule "A".

2. The City Treasurer is further authorized to reduce the Co-Generation Debenture authorization by $366,667.00, representing the additional projects funded by the Reserve for Debt Charges.

3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of , 1997.

CITY CLERK MAYOR

(1996) 2 R.C.W. 7, February 27

SCHEDULE "A"

	Project	Gross Cost	Federal & Provincial Subsidies	Debenture Amount	Term of Debenture
2)	City Hall - Replace Existing Chillers & Associated Equipment	$ 340,000	$ 226,667	$ 113,333	20 years
4)	Renovate the Fire Station at Woodward and Melvin	$ 200,000	$ 133,333	$ 66,667	20 years
6)	Playstructure Redevelopment	$ 300,000	$ 200,000	$ 100,000	20 years
7)	Roadway & Sidewalk Reconstruction	$4,124,500	$2,749,667	$1,374,833	20 years
	Creative Playground	$ 400,000	0	$ 400,000	20 years
				$2,054,833	

E.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 February 12th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Chief Administrative Officer and Director of Information Systems - Use of Interim Supplier for Desktop Computers pending results of 1997 Request for Proposals - report dated 1997 February 3rd

(b) Information Report - Secretary, HECFI Board of Directors - Contract Renewal - Gabe Macaluso, HECFI Managing Director/CEO - report dated 1997 February 3rd

(c) Information Report - Acting Fire Chief - Change to Home Inspection Program - Hamilton Fire Department - report dated 1997 February 3rd

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN\MUNICIPAL
CAY ON HBL A05
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Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL

MAR 3 1997

GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 March 4
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **MAYOR MORROW**

   Dinner Reception - World Women's Hockey Championship - Satellite Game: Russia vs China - 1997 March 31

4. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

   (a) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property - 6 Cascade Street

   (b) Offer to Purchase (Tender) - Sale of City Property 55 DiCenzo Drive, Hamilton to Karl Ragoonanan and Wendy Archibald

   (c) Lease Renewal - Hamilton Municipal Employee Credit Union - 50 Jackson Street West

   (d) Selection of Real Estate Brokers to sell surplus commercial/industrial City-owned properties (copy to follow)

   (e) Information Report - 606 Aberdeen Avenue

5. **CHIEF ADMINISTRATIVE OFFICER**

   Selection Committee to hire a new Fire Chief

6. **REFERRAL BACK FROM CITY COUNCIL**

   Declaration of Surplus Land: No. 1 Spruceside Avenue

7. **CITY CLERK**

   Licence Agreement - Stand No. 176 - Hamilton Farmers' Market Coffee Shop

8. **OTHER BUSINESS**

9. **ADJOURNMENT**

CITY OF HAMILTON

- RECOMMENDATION -

3.

DATE: 1997 February 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor R. Morrow

SUBJECT: Dinner Reception
World Women's Hockey Championship
Satellite Game: Russia vs China
Mountain Arena, 1997 March 31

RECOMMENDATION:

That approval be granted for the hosting of a dinner reception by the Mayor, at Sackville Hill Seniors Centre, for the visiting delegates, teams, dignitaries and volunteers, following the World Women's Hockey Championship Game, featuring Team Russia vs Team China, on 1997 March 31 at an estimated cost of $2,400.00 to be charged to Account #CH54314-84010 Special Receptions.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds are available in Account #CH54314-84010. It is anticipated that 125 people will attend this function at a cost of $19.25/person.

There are no staffing or legal implications.

BACKGROUND:

On 1997 March 31, the City of Hamilton and the Hamilton Girl's Hockey Association will be host to a Women's World Hockey Championship game featuring Team Russia and Team China beginning at 7:00 p.m.

As part of the role of host, the World Women's Hockey Championship requires each Satellite City to hold a reception dinner for the visiting teams. Arrangements have been made to cater this reception out of the Sackville Hill Seniors Centre beginning shortly after 10:30 p.m.

The Hamilton Girl's Hockey Association has made application to the Mayor's Office requesting his presence and assistance at this prestigious event. It is expected that a large contingent of dignitaries from China and Russia will arrive with their teams. It is our intention to show them the very best hospitality possible.

The cost of $2,400.00 is based upon a cost of $19.25/person. At this time, an expected attendance of 125 is anticipated.

In bidding to host this Satellite Game, the Hamilton Girl's Hockey Association has made a large commitment of time, volunteer effort, and financial resources. Agreeing to sponsor this reception will show the City's commitment and gratitude to our Hamilton Girl's Hockey Association, our Women's Hockey Program and Women in Sport throughout our City.

This much needed financial support will assist the Hamilton Girl's Hockey Association to successfully complete this event and will continue our City's heritage of showcasing Hamilton hospitality to our International counterparts.

WmM/dj

c.c. R. Fair, Director, Culture & Recreation Department
W. Moffatt, Manager of Arenas & Technical Services, Culture & Recreation Department
A. Martires, Food Services Co-ordinator, Culture & Recreation Department
G. Maychak, Sports Associations Liaison, Culture & Recreation Department
E. Pavao, Facility Supervisor, Mountain Arena

Allan Ross, City Treasurer
Joe Schatz, City Clerk

4. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 6 Cascade Street - Parcel A and B, Plan 1332

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14, City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

This property being recommended as surplus has been circulated to all City and Regional Departments and there has been no declared municipal interest.

DISCUSSION:

The subject property consists of a 33 foot x 453.78 foot strip of land and a 1 foot reserve known as Parcel A and B, Plan 1332 (Hamilton Industrial Estates No. 2) which is located to the rear of Lots 6, 7 and 8 in this Industrial Park.

Over the past twenty (20) years, the owners of the businesses located on these three (3) industrial lots have on several occasions expressed an interest in purchasing this City owned strip of land at the rear of their properties. However, this strip of land was originally set out from the Industrial Park to provide possible servicing for the lands to the west fronting on Centennial Parkway North and has continued to be retained by the City until such time as these westerly lands are developed should there be a need for roadway access.

Recently, the City has received a proposal for the commercial development of a 107,000 square foot home warehouse retail business on the lands fronting on Centennial Parkway North. As part of this proposal the City has also received a request to purchase the subject lands for incorporation into the abutting commercial lands for driveway purposes, which will allow the required parking for a warehouse development of this size.

With the introduction of this development which encompasses the last undeveloped land fronting on Centennial Parkway, there is no longer a need to retain the subject City land and by declaring the lands surplus the City will then be in a position to dispose of same.

Consequently, notwithstanding that the abutting industrial owners have over time expressed an interest in purchasing the subject City lands for possible expansion and rear access purposes, it is staff's recommendation that considering these lands are required for the new development of the 10 acre property fronting on Centennial Parkway North, the City should proceed to offer the subject lands for sale to the new developers to the west which will allow for the maximum development to take place. However, the sale should be conditional on the approval of a site plan and the commencement of construction within a reasonable period of time.

KN/nw

c.c. Alderman Fred Eisenberger, Alderman, Ward 5
C. Collins, Alderman, Ward 5
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
K. M. Lau, Manager of Surveys, Roads Division
V.J. Abraham, M.C.I.P., Director, Local Planning Division


QUEEN ELIZABETH WAY
SOUTH SERVICE ROAD
CURTIS STREET
JJ
KK
WARRINGTON STREET
H.E.P.C.
CANADIAN NATIONAL RAILWAY
435
NORTH
SITE PLAN CONTROL BY-LAW 80-298
HH/S-1155a
CASCADE STREET
LANARK ST
LAKE AVENUE
CENTENNIAL PARKWAY
COVINGTON STREET
298
BARTON STREET EAST
Subject Property
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4. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase (Tender) - Sale of City Property 55 DiCenzo Drive, Hamilton to Karl Ragoonanan and Wendy Archibald

RECOMMENDATION:

(a) (i) That an Offer to Purchase (Tender Form), duly executed by Karl Ragoonanan and Wendy Archibald, on 1997 February 17 and scheduled to close on or before 1997 March 21, for the lands being firstly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Parts 6 and 8 on Plan 62R-13294 and secondly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Part 11, Plan 62R-13294, having frontage along the easterly limit of DiCenzo Drive, Hamilton, being irregular in shape and containing an area of 474 square metres (5,108.7 square feet) more or less, municipally known as 55 DiCenzo Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $52,000. be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $5,200. be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(1) satisfactory Notice has been given to the public of the intended sale;

(2) an appraisal of the fair market value of the real property intended to be sold was obtained on the 4th day of March 1997;

(3) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(b) (i) That the following City land be incorporated into the following street:

DiCenzo Drive - Part 12, Plan 62R-13204

(ii) That the By-law to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

(iii) That the Commissioner of Transportation be authorized and directed to register the By-laws.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $52,000. be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).

Although the property has not been assessed yet, it is estimated that the realty taxes generated will be approximately $3,000. per year.

BACKGROUND:

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) Council has declared the subject land surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 22nd day of January 1997, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

The subject parcel is an irregular shaped, fully serviced building lot fronting on DiCenzo Drive in Hamilton. The lot was one (1) of three (3) City lots created as a result of a land exchange with the abutting owner.

All lots (3) at DiCenzo and Stone Church Road were advertised for sale by public tender for three (3) consecutive weeks (January 13 - 27, 1997) in the Hamilton Spectator. On 1997 February 6 the tenders were opened and several bids were received for the subject lot ranging from $20,000. to $52,000.

We therefore recommend acceptance of the $52,000. bid received from Karl Ragoonanan and Wendy Archibald.

The other two (2) lots located at 88 and 92 Stone Church Road East received five (5) bids each; however, all bids received were below the reserve price established for the sale of the lots. The lot at 88 Stone Church Road East received bids that ranged from $15,000. to $35,600. with the reserve price being $48,000. while the lot at 92 Stone Church Road East received bids that ranged from $28,000. to $38,000. with the reserve price being set at $50,000.

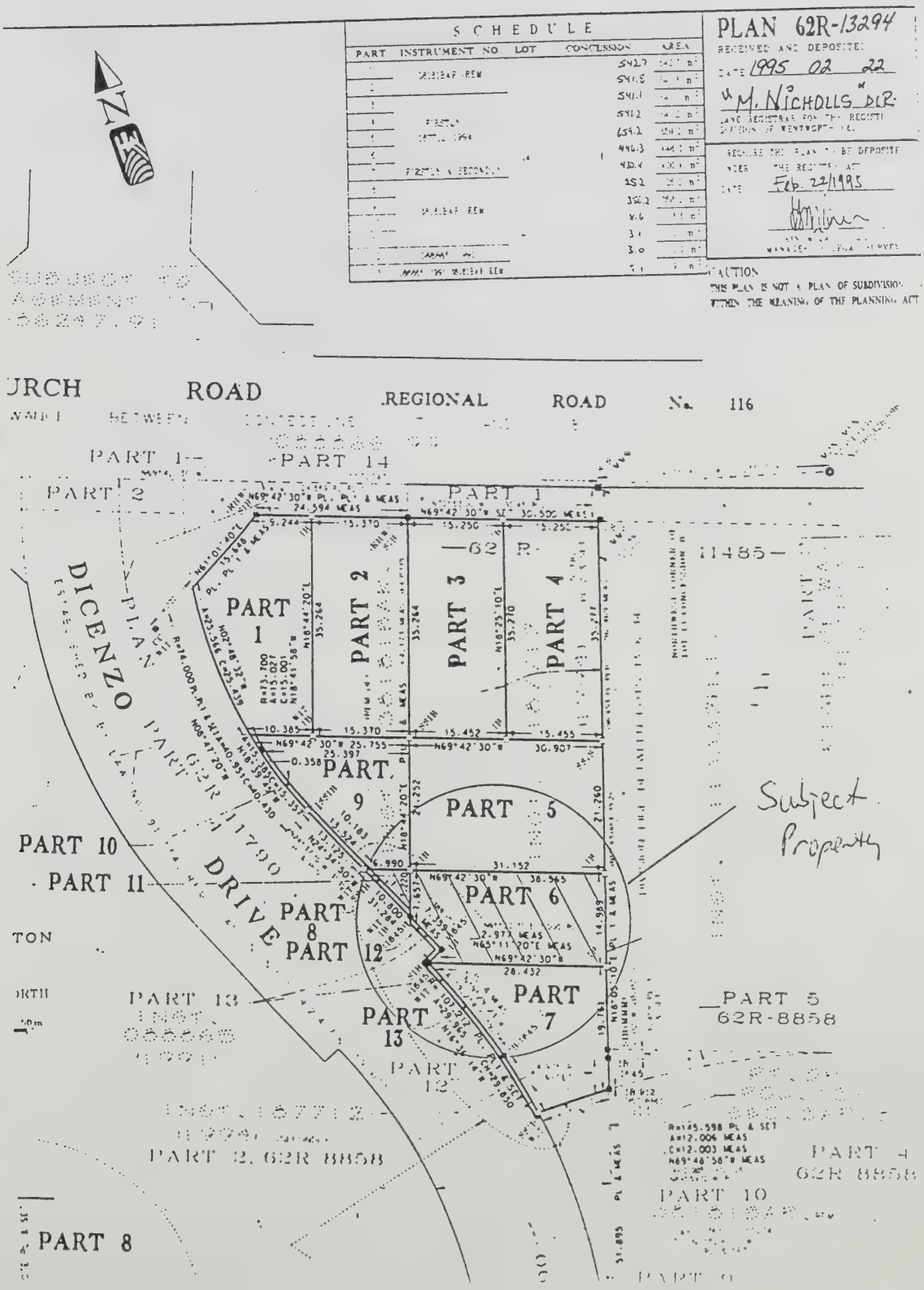
Although the City did not receive tenders that meet the reserve bids for these two (2) lots, given the past and new interest shown, they will be retendered to the public again in March in an attempt to secure acceptable bids.

To complete the final street width for the section of DiCenzo Drive which abuts the subject lot, it is necessary to incorporate the City's 1 foot reserve being Part 12 on Plan 62R-13294, into the DiCenzo Drive road allowance as all costs associated with this reserve have been paid in full.

KN/nw

c.c. Kevin C. Christenson, Secretary, Transport and Environment Committee
P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing
Allan C. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
L. King, Building Commissioner


Subject Property
STONE CHURCH ROAD EAST
JAMES STREET
UPPER JAMES STREET
DICENZO DRIVE
AQUASANTA CRES.
ASCOLI DRIVE
REGINA DRIVE
TEVERE PLACE
TERAMO CT.
C
B
B-2
B-2-S-1339
AA
A
RT-30
RT-20
R-4
HH-H/S-1100
HH/S-1091a
HH/S-1151
H H/S-1099a
HH-H/S-1242
HH/S-1179
G/S-1069a
SITE PLAN CONTROL BY-LAW 80-018
HH
HH/S-1119
HH/S-814
HH/S-967


SCHEDULE
PART INSTRUMENT NO LOT CONCESSION AREA
PLAN 62R-13294
RECEIVED AND DEPOSITED
DATE 1995 02 22
M. NICHOLLS DLR.
LAND REGISTRAR FOR THE REGISTRY DIVISION OF WENTWORTH (No. 62)
REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT
DATE Feb. 22/1995
CAUTION
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT
SUBJECT TO AGREEMENT 562971
URCH ROAD
REGIONAL ROAD No. 116
PART 1
PART 2
PART 14
PART 1
PART 2
PART 3
PART 4
PART 5
PART 6
PART 7
PART 8
PART 9
PART 10
PART 11
PART 12
PART 13
62 R-
11485
DICENZO DRIVE
PLAN
PART 5
62R-8858
PART 4
62R 8858
PART 2, 62R 8858
PART 8
PART 10
Subject Property

4. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 18

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Lease Renewal
Hamilton Municipal Employee Credit Union
50 Jackson Street West

RECOMMENDATION:

(a) That the Corporation of the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1996 November 2 and terminating on 2001 November 1; and,

(b) That the lease for the above space shall contain the following amending terms and conditions:

(i) Premises:

(aa) The leased premises shall be reduced from 5,000 square feet to 2,500 square feet, upon approval of the lease amending and renewal agreement, through the construction of a demising wall and tenant improvements to be constructed by the Lessee to the satisfaction of The Canadian Football Hall of Fame and Museum Management Committee representative and the Director of Property;

(bb) The leased premises shall have access to the existing washroom facilities for use by the tenant's employees;

(cc) The portion of the existing leased premises no longer forming part of the new leased premises shall revert to the possession of The Canadian Football Hall of Fame and Museum upon the completion of said demising wall;

(ii) Term: Five (5) years commencing 1996 November 2, terminating 2001 November 1;

(iii) Rent: $10.50 per square foot (gross) effective 1996 November 2 to 1998 October 31. In October 1998 both parties will review the rent for an adjustment. Any adjustment in rent, up or down, must be based on market conditions at the time. There will be no change in rent unless market conditions have changed in excess of ten percent (10%). If the market conditions have not changed greater than ten percent (10%), then the rent will remain at $10.50 per square foot until 2001 October 31. If the market conditions have changed greater than ten percent (10%), then the adjusted rent, as determined by the change in market conditions, will remain in effect until 2001 October 31. The market conditions will be determined by the use of two independent appraisers, one selected by The Canadian Football Hall of Fame and Museum and the other selected by the Credit Union. These two appraisers must attempt to reach an agreement. If they are not able to do so, then these two appraisers will select a third appraiser who will determine the market conditions and the third appraisal will be binding on both parties;

(iv) Additional Terms:

(i) The Lessee will pay for its share of the increase in operating costs over the 1996 Base Year;

(ii) As well the Credit Union will agree to pay any increase in property taxes that result from the leasehold improvements made to the space as occupied by The Credit Union;

(v) Option to Renew: There will be an option to extend the rental agreement from 2001 November 2 until 2006 November 1 at a rent to be established by market conditions as at the month of October 2001. The Canadian Football Hall of Fame and Museum will continue to have the right to terminate the lease as at 2001 November 1, provided that written notice is provided to the other party six months prior to 2001 November 1. If such notice is given by the Canadian Football Hall of Fame and Museum, the following conditions apply:

(i) The Credit Union shall be given a further six (6) months following the termination of the lease on 2001 November 1, to find a new location with the same terms and conditions as if the lease was continuing;

(ii) In the event the Football Hall of Fame should wish to terminate the lease at 2001 November 1 then they shall be responsible to reimburse the Credit Union for one-half the cost of their leasehold improvements, to a maximum of $35,000. The leasehold improvements in question would be those that were expended during renovations the first quarter of 1997;

(c) That the Mayor and City Clerk be authorized to execute a lease renewal and amending agreement in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The space currently leased by the Credit Union of 5,000 square feet at a rate of $16 per square foot results in a gross rental of $80,000 per annum.

The reduced space now being requested for lease by the Credit Union for its purposes of 2,500 square feet at a rate of $10.50 per square foot results in a gross annual rental of $26,250.

Accordingly, the amount of funds transferred to The Canadian Football Hall of Fame who are the benefactors of this lease agreement will be dramatically reduced to the latter sum of $26,250 less realty taxes of $10,575.

BACKGROUND:

In adopting Item 26 of the Finance and Administration Committee, City Council on 1991 October 29 approved a five (5) year lease renewal with the Credit Union for 5,000 square feet of space at a graduated rental increase starting at $11.88 per square foot (gross) on 1994 November 2 and ending at $16 per square foot 1996 November 1.

The Municipal Employees Credit Union has contacted our department to commence lease renewal negotiations for a new term. The Credit Union wants a ten year lease, wishes to immediately reduce their space, and pay a rental based on $8 per square foot (gross).

After reviewing office space rental rates in the area, taking into account that the subject leased premises are located below grade and that existing operating cost is currently $8.16 per square foot, we proposed a $12 per square foot (gross) rental rate. Eventually after a lengthy lease negotiation, the Credit Union increased their offer to $10 per square (gross). Our position is that $10.50 per square foot is extremely fair and reasonable, on the assumption the Credit Union turns over the 2,500 square feet no longer required by their organization upon the construction of the demising wall while continuing to pay the current rental rate until November 1996.

A report was prepared by this department to the Finance and Administration Committee recommending the above terms. On 1996 May 7, the Committee tabled the report for consultation with the Football Hall of Fame Committee.

On 1996 September 24, The Canadian Football Hall of Fame and Museum representative appeared before the Finance and Administrative Committee with respect to jurisdiction issue over who has the say and input into lease negotiations for rentable space in the Hall of Fame.

The Committee then adopted the following resolution:

> "That the Canadian Football Hall of Fame and Museum Management Board be authorized to negotiate the leases, with the assistance of the Director of Property, for the Hamilton Municipal Employees Credit Union and The Press Club's use of the property at 50 Jackson Street West."

Subsequently, on 1997 January 20 a letter was delivered to the Property Department which authorized lease terms and conditions agreed to by the Hall of Fame and the Credit Union.

This report to the Finance and Administration Committee outlines the said rental terms for consideration.

MCJW/nw

cc. J. Smith, Managing Director, Canadian Football Hall of Fame
P. Noé Johnson, City Solicitor
A. Ross, Treasurer

CANADIAN FOOTBALL HALL OF FAME & MUSEUM
58 JACKSON STREET WEST, HAMILTON ONTARIO L8P 1L4 PHONE (905) 528-7566
FAX (905) 528-9781

MEMORANDUM

TO: Mike Watson
Manager, Property Department

FROM: Mr. William Tidball
Canadian Football Hall of Fame & Museum

and

Mr. Dave Reid
Hamilton Municipal Employees' Credit Union

DATE: January 9, 1997

This joint memorandum will serve as the basis for the new lease for the Hamilton Municipal Employees' Credit Union Limited (50 Jackson Street West, Hamilton, Ontario). We would appreciate your assistance at drawing up the new lease using a standard lease agreement with the following amendments:

The Credit Union agrees to rent 2,500 sq. ft., plus access to the washroom in the lower level of the Football Hall of Fame building beginning November 1, 1996 subject to review of the leasehold improvements by a Canadian Football Hall of Fame and Museum Management Committee representative. The rent to be $10.50 per sq.ft. from November 1, 1996 to October 31, 1998. The Canadian Football Hall of Fame and Museum would retain the remaining 2,500 sq. ft. on or before January 15, 1997.

In October 1998 both parties will review the rent for an adjustment. Any adjustment in rent, up or down, must be based on market conditions at the time. There will be no change in rent unless market conditions have changed in excess of 10% percent. If the market conditions have not changed greater than (10%) ten percent, then the rent will remain at $10.50 per sq. ft. until October 31, 2001. If the market conditions have changed greater than (10%) ten percent, then the adjusted rent, as determined by the change in market conditions, will remain in effect until October 31, 2001. The Market Conditions will be determined by the use of two independent appraisers, one selected by The Canadian Football Hall of Fame and Museum and the other selected by the Credit Union. These two appraisers must attempt to reach an agreement. If they are not able to do so, then these two appraisers will select a third appraiser who will determine the market conditions and the third appraisal will be binding on both parties.

...2

There will be an option to extend the rental agreement from November 1, 2001 until October 31, 2006 at a rent to be established by market conditions as at the month of October 2001. The Canadian Football Hall of Fame and Museum will continue to have the right to terminate the lease as at October 31, 2001, provided that written notice is provided to the other party six months prior to October 31, 2001. If such notice is given by the Canadian Football Hall of Fame and Museum, the following conditions apply:

a) The Credit Union shall be given a further six months following the termination of the lease on October 31, 2001, to find a new location with the same terms and conditions as if the lease was continuing.

b) In the event the Football Hall of Fame should wish to terminate the lease at October 31, 2001 then they shall be responsible to reimburse the Credit Union for one-half the cost of their leasehold improvements, to a maximum of $35,000.00 The leasehold improvements in question would be those that were expended during renovations the first quarter of 1997.

As well the Credit Union will agree to pay any increase in property taxes that result from the leasehold improvements made to the space as occupied by The Credit Union.

Your assistance at drafting this agreement is greatly appreciated and both parties look forward to reviewing the lease with you at your earliest convenience.

Signed by:

Mr. William Tidball
Chairman, Management Committee
Canadian Football Hall of Fame & Museum

Mr. Dave Reid
Manager
Hamilton Municipal Employees Credit Union Limited

4.(d)

CITY OF HAMILTON

- RECOMMENDATION -

OKEMA MUNICIPAL
MAR 13 1997
GOVERNMENT DOCUMENTS

DATE: 1997 March 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Selection of Real Estate Brokers to Sell Surplus City Commercial and Industrial Properties

RECOMMENDATION:

(a) That Blair, Blanchard, Stapleton Limited; Chambers & Company Limited; and, Royal LePage Commercial Inc. be retained to provide real estate brokerage services to sell surplus City commercial and industrial properties for a one year term; and,

(b) That the Director of Property be authorized and directed to sign the Multiple Listing Agreement for each surplus commercial/industrial property to be listed.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost of retaining brokerage firms to sell the existing inventory of surplus City commercial/industrial properties is estimated to be $95,000. at the proposed 6% commission fee. Staff time in showing the properties will be reduced and closings may be affected sooner.

BACKGROUND:

This past January all 58 broker members of the ICI Division of the Metropolitan Hamilton Real Estate Board (MHREB) were solicited to submit proposals to sell the City's surplus commercial and industrial properties. Seven (7) proposals were received prior to the 1997 February 26 closing deadline. These proposals were rated on a number of criteria relating strictly to the industrial/commercial marketing capabilities of each brokerage firm. These criteria included local and national marketing exposure and representation, experience, presentation and marketing plan.

On the basis of the presentations received, we are recommending that the following three (3) brokerage firms be retained by the City to provide brokerage services for a one (1) year term: (Listed in order of rating)

(a) Blair, Blanchard, Stapleton Limited
(b) Chambers & Company Limited
(c) Royal LePage Commercial Inc.

These three (3) firms are well known and respected locally and have experienced commercial /industrial representatives. These firms will list the properties on the MHREB, prepare specification sheets, advertise in on-going publications and brochures, install on-site signage, and, for major properties that have buyers beyond the local market, will utilize national ICI networking and market exposure.

All three (3) firms have a 6% commission structure, with Chambers & Company reducing the fee to 5% beyond $250,000. selling price and to 4% for the balance over $1 million. Since the majority of the surplus commercial/industrial properties are expected to be Tax Sale properties having market values below the $250,000. commission break point, it is not anticipated that there will be a significant difference in the final commission split among the three (3) firms.

It is proposed that the initial inventory of surplus properties be allocated among the three (3) brokerage firms by lottery with additional properties being offered to each firm in rotation as they become available.

RAB/nw

c.c. Alderman Bob Charters, Alderman, Ward 6
A. Ross, Treasurer
P. Noé Johnson, City Solicitor

4.(e.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 February 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: 606 Aberdeen - Tax Sale Property

BACKGROUND:

The City of Hamilton has become the owner of the subject property as a consequence of the City's tax sale procedures, pursuant to the Municipal Tax Sale Act, as no tender bids were received at the tax sale held on 1997 February 11. This industrial property vested in the name of the City by virtue a Notice of Vesting registered as Instrument No. LT 437744 on 1997 February 11 at 3:43 p.m. The amount of outstanding property taxes, interest, penalty, and costs at that date were in the amount of $2,104,727.48.

Staff from the Property Department, as is the normal practice, attended the tax sale. Upon receiving confirmation from the Law Department of the vesting of the property, staff, under the direction of M. Watson, proceeded immediately to take possession of the property and complete, a thorough examination of the premises. At that time all locks were changed to secure the property and the heating system was inspected and the Building Operations and Maintenance Division had a crew working on the poorly maintained heating system to keep it operational.

In accordance with the City Realty Procedural By-law, City Council on Tuesday, 1997 February 25, declared the property at 606 Aberdeen surplus to the City's needs. An appraisal is currently underway to establish a market value estimate and very shortly a report will be submitted to the Finance & Administration Committee for consideration in respect of the retention of a Real Estate Broker to market the property. Although the property was widely advertised in both The Hamilton Spectator and The Globe & Mail for the purposes of the tax sale, no bids were received at that time. The Property Department has received inquiries from various parties expressing interest in the property.

The following information is a general overview of the property:

> An industrial property comprising 14.5 acres, zoned "K" - Heavy Industrial. The property is improved with approximately 38,000 square feet of office area and 234,000 square feet of warehouse/manufacturing area. The site was previously owned and occupied by Westinghouse Canada who, until 1963 operated a foundry thereon. Since 1963, the property has been utilized for a number of varied, heavy industrial uses and until recently was referred to as the "Rothwell" property. The physical condition of the buildings is fair.

While the office areas are vacant, approximately half of the industrial area is leased to various companies. Property Department staff have completed interviews with the five tenants occupying the premises to advise them of the City's ownership and our intentions to proceed to sell the property as soon as possible. These firms operate a variety of different types of enterprises from the manufacture of metal storage racking to warehousing various type of steel coils to refurbishing restaurant equipment to refinishing antique wood furniture. Approximately 70 people are employed at the subject property.

Phase I and Phase II Environmental reports were completed on the site by Proctor & Redfern acting on behalf of the then receiver, BDO Dunwoody. In general, the results of this investigation indicate that upon completion of asbestos and sewer discharge remedial activities, the environmental conditions of the buildings and property at 606 Aberdeen Avenue are suitable for its current and continued industrial uses. It had been indicated by the receiver that asbestos concerns have been largely remedied.

We provide the following estimated income/expense synopsis:

Income: $495,802. per annum with an immediate possibility of increasing the rental income to approximately $540,000. per year or a total of $45,000 per month through a possible increase in space rented.

Expenses:

- Water & Sewer Rates - $20,000. per annum (estimated)
- Heat - $114,500. per annum (estimated)
- Hydro - $174,000. per annum (estimated)

- Repairs & Maintenance

Note: Estimated $20,000. for bare minimum for a six (6) month period.

- Taxes - $198,939.20 (1996)

Note: The City has moved to declare all vacant sections of the building exempt from taxation. The Assessment Department is going through the building to determine if all the tenants are properly assessed. Therefore, the above tax amount is subject to adjustment.

Total Estimated cost per year - $507,439. or $42,286.58/month plus maintenance of $3,333./month

Our department is currently discussing lease terms with all the tenants and it is our intention to take a report to the next Finance and Administration Committee meeting to recommend a month to month leases with a six (6) month termination clause. This short term tenancy will give the City a greater marketing flexibility in the event that a purchaser requires the entire facility.

A further report will also be prepared with respect to the disposal of this property which has now been declared surplus by City Council and will discuss the various options of marketing this property and a recommended method, together with a suggested asking price. We advise that the Property and Law Departments will shortly be providing a report for consideration in respect of the realty tax and legal implications arising out of the tax sale.

MCJW/nw

c.c. J. G. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
Attention: T. Daw, Manager of Revenues, Treasury Department
P. Noé Johnson, City Solicitor
Attention: J. Lessing
R. Swan, Manager, Building Operations and Maintenance Division



135	127	21
136	92	41
20	93	41

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department

CITY OF HAMILTON

KIRKENDALL NORTH

ZONING

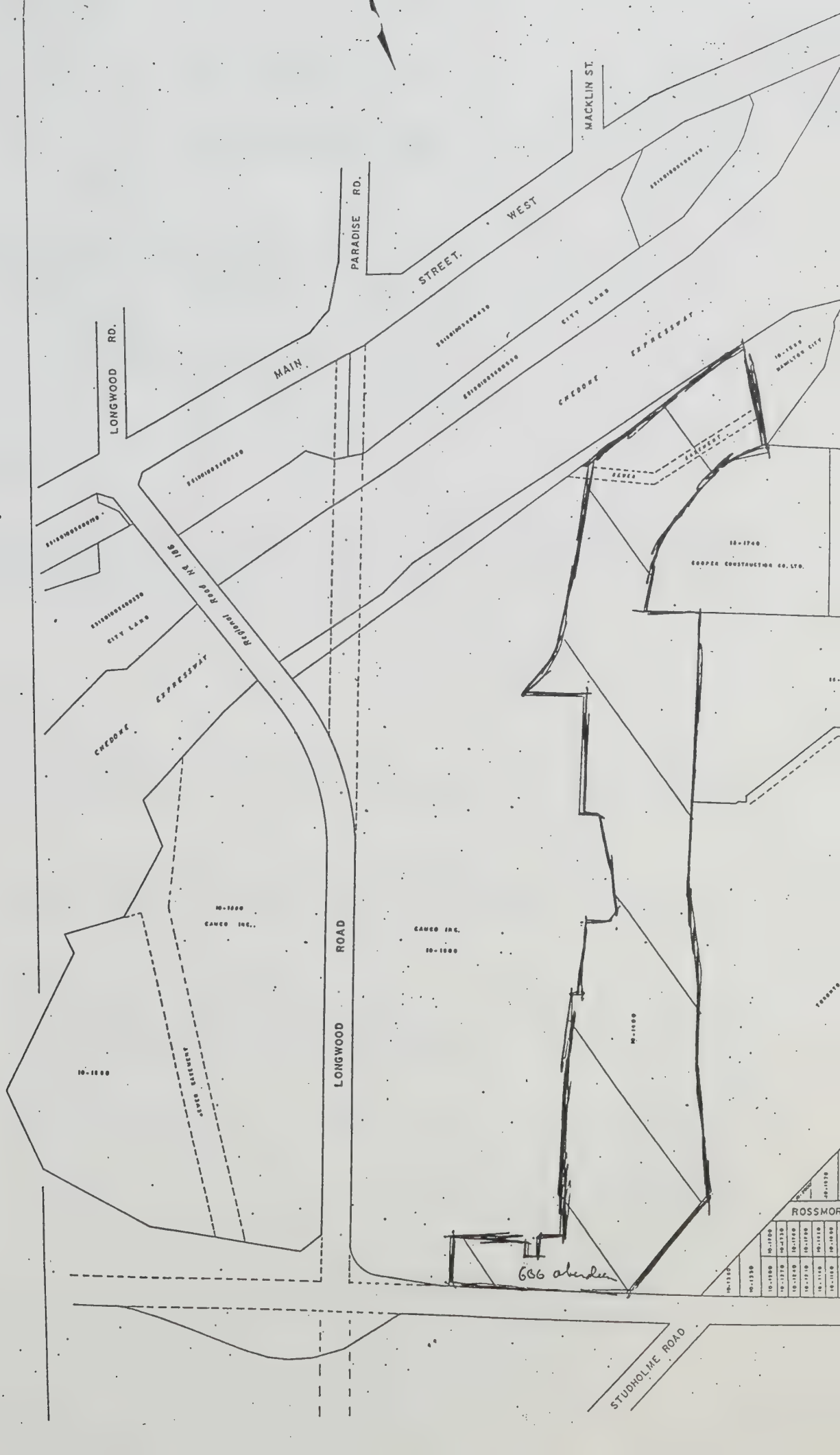
Neighbourhood Boundary
Zoning Boundary

SCALE 100m 50m

Prepared for The City of Hamilton
by the Planning and Development Department

Plan No. 6803

Page No. 92


MACKLIN ST.
PARADISE RD.
STREET WEST
MAIN
LONGWOOD RD.
CITY LAND
CHEDOKE EXPRESSWAY
Regional Road No 185
LONGWOOD ROAD
CANCO INC.
10-1000
10-1740
COOPER CONSTRUCTION CO. LTD.
STUDHOLME ROAD
686 aberdeen

CITY OF HAMILTON

- RECOMMENDATION -

5.

DATE: 1997 February 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: Selection Committee to Hire a New Fire Chief

RECOMMENDATION:

That the Finance and Administration Committee in addition to the Mayor, Chairman and Vice Chairman of the Finance and Administration Committee appoint two additional members from the Finance and Administration Committee for a total of five to sit as the Selection Committee to hire the new Fire Chief for the City of Hamilton.

BACKGROUND:

The Finance and Administration Committee at its meeting held Tuesday, 1996 December 03 approved the following process, which was subsequently approved by City Council at its meeting held Tuesday, 1996 December 10:

(a) That the Chief Administrative Officer be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26; and,

(b) That a Staff Committee comprised of the Chief Administrative Officer, two members of the Corporate Management Team and a Fire Chief from a similarly sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,

(c) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.

As a result of this motion, the Finance and Administration Committee should determine who will serve on the Selection Committee as the two representatives of the Committee.

DISCUSSION:

The position of a new Fire Chief for the City of Hamilton was advertised in the following newspapers, copy attached:

Hamilton Spectator	Saturday, January 18, 1997
Globe & Mail	Wednesday, January 22, 1997
	Friday, January 24, 1997
	Monday, January 27, 1997

In response to the advertisement seventeen applications were received:

5 Internal Applications
12 External Applications

A Staff Selection Committee including the following met on Thursday, February 13, 1997 and determined that seven of the applicants should be interviewed.

Joe Pavelka, Chief Administration Officer
Patrice Noé Johnson, City Solicitor
Allan Ross, City Treasurer
Cyril Hare, Fire Chief, City of Mississauga

From the seven interviews, the Staff Selection Committee is recommending that the short list of four applicants be interviewed by the Elected Representatives on the Selection Committee.

CONCLUSIONS:

The Finance and Administration Committee should determine who will serve on the Selection Committee as the two representatives of the Committee. In the event that no Committee members want to participate on the Selection Committee, Alderman H. Merling has indicated that he would like to be a participant.

JGP:dd
Attach.

c.c. Alderman H. Merling, Alderman, Ward 7

FIRE CHIEF - CONTRACT

Under the general direction of the Chief Administrative Officer, you will have full responsibility for the strategic direction and operations of the Fire Department. This will entail developing and implementing the capital budget as well as representing the department to all concerned parties, including the general public.

Taking a pro-active approach in the assessment of each division, you will be expected to maintain a progressive edge by initiating and implementing innovative ideas and advances in fire technology, advising on the purchase of new fire apparatus and upgrading emergency fire response through new stations and manpower.

You are a graduate of the Ontario Fire College, hold a degree/diploma in public administration and demonstrate an extensive background in fire technology and administration. A strong communicator, both verbally and in writing, you have the interpersonal skills and ability to deal effectively with staff, management, elected officials, and standing committees of council.

This is a 3-year contract position with strong potential for advancement to a 5-year contract.



The Corporation of The City of Hamilton

To apply, please send your resume, in confidence, no later than **February 7th, 1997**, to:

Commissioner, Human Resource Services
25 Main Street West, 19th Floor
Hamilton, Ontario L8N 3A2
Fax: (905) 546-2650

We thank all applicants in advance and advise that only those candidates under consideration will be contacted.

AN EQUAL OPPORTUNITY EMPLOYER

CORPORATION OF THE CITY OF HAMILTON

CITY CLERK'S OFFICE

****

6.

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: J. J. Schatz
City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: **Declaration of Surplus Land: No. 1 Spruceside Avenue**

DATE: 1997 February 26

Sub-joined is a copy of Section 5 of the Second Report of the Parks and Recreation Committee for 1997 concerning the Declaration of Surplus Land: No. 1 Spruceside Avenue which was referred back to the Finance and Administration Committee by City Council at its meeting held 1997 February 25.

JJS/mjw

c. J. G. Pavelka
Chief Administrative Officer

D. Vyce
Director of Property

K. Christenson, Secretary
Parks and Recreation Committee

"That No. 1 Spruceside Avenue not be declared surplus to the requirements of the City and that no action be taken to dispose of same."

CITY OF HAMILTON

- RECOMMENDATION -

7.

DATE: 1997 February 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Licence Agreement - Stand No. 176
Hamilton Farmers' Market Coffee Shop

RECOMMENDATION:

(a) That the City Solicitor be directed to amend the current lease agreement between Burton Hubbard, Marguerite Hubbard and Corrado Belacca and the City of Hamilton respecting the Farmers' Market Coffee Shop to remove Burton and Marguerite Hubbard as licensees and including John Malagrino as an added licensee; and,

(b) That the amended lease agreement continue to provide for the agreement to expire on August 31, 2000 with no option to renew, at a monthly rate of $439. for 1997, to be adjusted during the term of the agreement at the pleasure of Council.

D.W. McConnell for
J.J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Continued revenue for the Coffee Shop at the rate of $439. per month is provided for in the 1997 Current Budget. The recommended change in licensees will make the Coffee Shop operation more viable.

BACKGROUND:

Approval of the recommended change in licensees will enable the Farmers' Market Coffee Shop to become a more viable operation. The added licensee proposes to make physical improvements to the Coffee Shop at his expense to improve the service. The added licensee is fully aware that the amended agreement will expire on August 31, 2000 and cannot be renewed. The operation of the Coffee Shop will be tendered at that time.

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 March 4
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the meeting held on Tuesday, 1997 February 18th

B. CITY CLERK

(i) Records Review Committee Report #2

(ii) By-law - Use of Optical Scanning Vote Tabulators

C. TREASURER

Financing of construction of independent concrete sidewalks on the north side of Stone Church Road East

D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

A.

Tuesday, 1997 February 1
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman T. Anderson
Alderman D. Drury
Alderman V. J. Agro

Regrets: Alderman M. Kiss - illness

Also present: Alderman H. Merling
Alderman G. Copps
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. Schatz, City Clerk
Acting Fire Chief Desjarlais
D. Vyce, Director of Property
J. Hindson, Director of Information Systems
R. Fair, Director of Culture and Recreation
B. Desnoyers, Property Department
P. Lampman, Deputy Building Commissioner
Susan K. Reeder, Secretary

A G E N D A

The Committee agreed to move the In Camera Agenda to the end of the meeting.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 February 4th, and approved these minutes as circulated.

B. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - Payment of 1997 GEAC (formerly Dunn and Bradstreet Software) Maintenance Invoice (I/S 97-101)

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Information Systems dated 1997 February 10, respecting the above noted matter and approved the following:

> That the 1997 invoice for $94,396. (plus GST) from GEAC in Mississauga (formerly Dunn and Bradstreet Software) be authorized for payment from Account CH 5609X -26021 (User Software).

C. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations From Permanent Positions**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1997 February 7, respecting the above noted matter and approved the following:

That the listing of Appointments to and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1997 February 6, attached herewith and marked Appendix "A", be approved.

D. **CITY SOLICITOR - By-law - Transfer of Debenture Proceeds**

The Committee was in receipt of a report from the City Solicitor dated 1997 February 6, respecting the above noted matter.

The Committee directed that the By-law to Amend By-law No. 95-18 and By-law No. 95-090 respecting Transfer of Debenture Proceeds, attached to the report, be forwarded to City Council for enactment.

E. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 February 12, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Chief Administrative Officer and Director of Information Systems - Use of Interim Supplier for Desktop Computers pending results of 1997 Request for Proposals - report dated 1997 February 3rd

(b) Information Report - Secretary, HECFI Board of Directors - Contract Renewal - Gabe Macaluso, HECFI Managing Director/CEO - report dated 1997 February 3rd

(c) Information Report - Acting Fire Chief - Change to Home Inspection Program - Hamilton Fire Department - report dated 1997 February 3rd

REGULAR AGENDA

3. **TREASURER**

(a) **Hamilton Region Conservation Authority - Request for Realty Tax Exemption**

The Committee was in receipt of a report from the Treasurer dated 1997 February 11, respecting the above noted matter.

The Committee approved the following:

That the Hamilton Region Conservation Authority request for the waiver of outstanding tax arrears on the property known as 000 Young St. (Roll number 03-02020-6520) be denied.

(b) **1996 Year End Closing**

The Committee was in receipt of a report from the Treasurer dated 1997 February 10, respecting the above noted matter.

The Committee was also in receipt of Page 3 of this report which had been inadvertently omitted in the original printing.

Discussion ensued with respecting to the details concerning the Reserve for Hosting of Special Dignitaries Accounts. It was agreed that the CAO would speak to the Mayor's Executive Assistant and request that more specific details concerning this report be forwarded to members of the Committee prior to City Council for information.

The Committee then approved the following:

(a) That the City Treasurer be directed to establish a Housing Reserve to be utilized by the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited; and,

(b) That the amount of $197,739.61, returned to the City by the Municipal Non-Profit (Hamilton) Housing Corporation be transferred to the above Reserve; and,

(c) That the purchase of 207-209 King Street East by Hamilton Housing Company Limited for Downtown Revitalization, approved by the Board at its meeting of 1996 November 25, in the amount of $180,506.08 be funded from the Housing Reserve; and,

(d) That $58,415 be transferred to the Reserve for Hosting of Special Dignitaries, (00128) from the Reserve for Hosting Conferences - Municipal Content (00126); and,

(e) That $35,000 of the Current Budget Surplus be transferred to the Reserve for Hosting Special Dignitaries (00128) for 1997; and,

(f) That the balance of the Current Budget Surplus (estimated at $947,000) be transferred to the Reserve for Tax Stabilization,(00135); and,

(g) That the accrual of outstanding Vacation Pay ($3,670,204.03) related to Employees hired prior to 1980 be financed from the Reserve for Tax Stabilization - Working Fund Reserve (00135); and,

(h) That the accrual for outstanding Vacation Pay ($1,942,065.38) for employee's vacation earned from their anniversary date to the end of the year be financed from the Reserve for Tax Stabilization - Working Fund (00135).

(c) **Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the Year 1996**

The Committee was in receipt of a report from the Treasurer dated 1997 February 14, respecting the above noted matter and approved the following:

That the Statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1996, attached herewith and marked Appendix "B", be received by City Council.

4. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(a) Rescinding Council Resolution for the Construction of an Underground Vault for the Uninterruptable Power Supply - Information Systems

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 February 7, respecting the above noted matter.

The Committee approved the following:

> That Section 21 of the Tenth Report of the Finance and Administration Committee approved by City Council on 1996 May 14, with respect to the award of a Purchase Order for the construction of an uninterruptable power supply system for Information Systems be rescinded.

(b) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 February 11, respecting the above noted matter.

Discussion ensued with respect to the surplus Parking Authority lands and the timing for processing the sale of those lands deemed as surplus.

Alderman Wilson questioned the inclusion of the land on Lucerne Avenue at Cochrane Road being declared surplus since this property has been used as greenspace by the community for a number of years. Discussion then ensued on similar type of situations and the need for a policy to be established on how to regard these properties.

In this regard, the Committee agreed to amend the staff recommendation by tabling the following property:

(a) (ii) west limit of Lucerne Avenue at Cochrane Road (between 228 and 234 Cochrane Road)

The Committee also agreed that staff should review the City's policy with respect to the Declaration and Sale of surplus properties and report back with recommendations which would address surplus lands providing greenspace use to the surrounding community.

The Committee then approved the following as amended:

(a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 337-339 York Boulevard
(ii) 71 Horning Drive
(iii) 226-1/2 Grosvenor Avenue

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

ADDED - 100 Locke Street South

The Committee agreed to receive a presentation from representatives of the Humana House Non Profit Housing Corporation Inc./Good Shepherd Centre respecting their wish to obtain the property at 100 Locke Street South to develop a 25-30 dedicated housing unit.

As a result of the discussions on this, and the financial technicalities involved in this property it was agreed that a meeting of the Chairman, Aldermen Ross and Anderson, along with the representatives from Humana House and appropriate staff should be held in order to determine what part the City would play in this development. It was agreed that if possible a recommendation could be formulated in time to hold a special meeting prior to City Council on Tuesday, 1997 February 25th to consider this matter.

5. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - Supplier for Desktop Computers**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Information Systems dated 1997 February 10, respecting the above noted matter and approved the following:

(a) That the following four qualified Vendors be approved for the supply and delivery of Hewlett Packard Pentium PC Desktop Computers for a one year period to 1998 March 31:

(i) 4 Office Automation, Burlington
(ii) JMG, Hamilton
(iii) GE Capital, Mississauga
(iv) Telecom, Burlington

(b) That the Purchasing Manager (or Designate) obtain monthly quotations from the above qualified companies for each following month's requirements and, all other factors being equal, choose the lowest quoting company to fill that month's requirements; and,

(c) That funding be provided from Account # CH56605-26032 (Workstation Leasing)

6. **CHIEF ADMINISTRATIVE OFFICER - Information Technology - Consulting Services**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 February 12, respecting the above noted matter.

The Committee approved the following:

That Western Management Consultants be retained for a cost of up to $25,000 to provide technical and management services to assist with the implementation of the recommendations from the "Operational Review of the Information Systems Department" by LGS Group Inc., 1996 September.

7. **ACTING FIRE CHIEF AND CITY SOLICITOR - Amendments to Fireworks By-Law No. 90-198**

The Committee was in receipt of a joint report from the Acting Fire Chief and the City Solicitor dated 1997 February 6, respecting the above noted matter and approved the following:

That a By-law to amend By-law No. 90-198 respecting Fireworks be enacted by City Council.

8. **CORRESPONDENCE - Hamilton International Air Show - request for funding of a 1997 Civic Reception to be held Friday, 1997 June 13th**

The Committee was in receipt of correspondence from the Hamilton International Air Show Foundation dated 1997 January 17, respecting the above noted matter.

The Committee was also in receipt of an Information Report from the Secretary of the Finance and Administration Committee respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton host a reception for the Hamilton International Air Show on Friday, 1997 June 13th, at a cost of $5,000; and,

(b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.

ADDED - TREASURER - Due Date for the Second Pre-levy Instalment of Realty Taxes

The Committee was in receipt of an added report from the Treasurer dated 1997 February 18th respecting the above noted matter.

The Committee approved the following:

(a) That Section 17 of the First report of the Finance and Administration Committee which was approved by City Council on 1997 January 28, be amended to provide for an extension of the due date for the second pre-levy instalment of 1997 realty taxes from 1997 March 31 to 1997 April 1; and,

(b) That the City Solicitor be authorized and directed to prepare an amendment to the Tax Levy By-Law 71-69 to provide for this change for the year 1997 only.

9. **REFERRAL FROM CITY COUNCIL - Resolution - Hamilton and District Labour Council - Potential Impact of Bill 99 on Municipal Taxes**

The Committee was in receipt of a memorandum from the City Clerk dated 1997 February 12, respecting the above noted matter.

The Committee agreed to receive this correspondence, and further request that the Chief Administrative Officer prepare a report back to them respecting the potential impact of Bill 99 on Municipal Taxes.

1. **IN CAMERA AGENDA**

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR

(i) City of Hamilton -ats- Beatrice Cole - Ontario Court (General Division) Court Action #8860/95

(a) That the City resolve Ontario Court (General Division) Action # 8860/95 by the payment to the Plaintiff, Beatrice Cole, of the sum of $27,000 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff, Beatrice Cole, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 8860/95 be dismissed without costs.

ADDED - Correspondence - Hamilton Professional Fire Fighters Association - Bill 84 - The Fire Prevention and Protection Act

The Committee was in receipt of correspondence from the Secretary of the Hamilton Professional Fire Fighters Association dated 1997 February 11th respecting the above noted matter.

The Committee agreed that staff be requested to compile an Information report back to the Committee respecting this Bill.

11. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1997 February 18

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

1997 February 25

Appendix "A" referred to in Section 2 of the **THIRD** Report of the Finance and Administration Committee for 1997

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Margaret Violin	I	Accounting Clerk	H.E.C.F.I.	Replacing Mr. J. Whitwell – resigned, Nov. 29/96	$31,563.48 to $37,117.60	Jan. 01/97

Prepared February 6, 1997

Status –
I – Internal
E – External

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Melissa Farr	Invoice Checking Clerk	Treasury	Resigned	5 years, 6 months	Dec. 31/96
Mr. Donald Patterson	Curatorial Assistant Dundurn Castle	Culture & Recreation	Terminated	18 years, 11 months	Dec. 27/96

Prepared February 6, 1997

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

1997 February 25

City of Hamilton
Treasury

Appendix "B" referred to in Section 4 of the **THIRD** Report of the Finance and Administration Committee for 1997

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) **Members of Council**

	Salary*
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	20,492.68
Charters, R.	20,492.68
Copps, G.	20,492.68
D'Amico, F.	20,492.68
Drury, D.	20,492.68
Eisenberger, F.	20,492.68
Jackson, T.	20,492.68
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	20,492.68
	$393,459.04

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	$2,100.00
Serwatuk, D.	2,100.00
Begg, E.	2,100.00
Law, B.	2,600.00
Cutler, R.	2,100.00
	$11,000.00

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	$ 900.00
Clothier, R.	600.00
Cooper, H.	1,200.00
Gibson, D.	700.00
Green, R.	500.00
Groves, L.	500.00
Hardie, D.	1,200.00
Holms. M.	900.00
Kaut, H.	1,000.00
Korz, G.	1,250.00
Langdon, D.	300.00
MacIntyre, D.	1,200.00
Penko, G.	1,000.00
Reilly, M.	500.00
Taffs, R.	700.00
VanDerbeek, P.	1,800.00
Woodrow, B.	900.00
Warner, S.	100.00
	$15,250.00

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agro, V. J.	2,038.51
Anderson, T.	1,994.32
Caplan, M.	2,828.20
Charters, R.	2,063.33
Collins, C.	2,146.27
Copps, G.	nil
D'Amico, F.	1,413.36
Drury, D.	1,971.85
Eisenberger, F.	2,266.18
Jackson, T.	244.26**
Kiss, M.	244.26**
McCulloch, W.	244.26**
Merling, H.	244.26**
Morelli, B.	244.26**
Morrow, R.	26,033.84
Ross, D.	3,564.78
Wilson, D.	244.26**
	$47,786.20

**telephone allowance only

1997 February 25

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, G.	$319.75
Rogers, P.	601.46
Kamath, R.	1,787.66
	$2,708.87

(c) H.E.C.F.I. Appointees

Alderman T. Anderson	$1,798.84

(d) Parking Authority Appointees

Alderman V. Agro	$642.36

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Records Review Committee Report # 2**

RECOMMENDATION:

That approval be granted to authorize the destruction of various City of Hamilton Law Department Records as recommended by the City's Records Review Committee. The following records previously identified as "potentially archival" in the 1992 Municipal Archives Report are approved for destruction in accordance with the City's Retention and Destruction of Records By-law. The record series approved for destruction are as follows:

- Contracts and Agreements (Under Seal)
- Highways and Agreements
- Labour Agreements
- Legal Opinions
- Organizations\Institutions
- Real Estate Appraisals

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The destruction of the previously identified records in accordance with the approved retention period identified in the City of Hamilton Retention and Destruction of Records By-law, By-law 81-217 as amended.

Destruction of the identified records will free up a large volume of valuable records storage space for the City's Law Department for more effective use.

BACKGROUND:

The City's Law Department requested the Records Review Committee to investigate the archival status of 6 record series in their possession. The record series in question were:

Contracts and Agreements
Highways and Agreements
Labour Agreements
Legal Opinions
Organizations\Institutions
Real Estate Appraisals

The different types of Agreements identified occupied a significant portion of the Law Department's storage areas. Some of the agreements identified in the first 3 record series date as far back as 1900, with the majority of agreements being in the 1950-1980 range. The majority of the remaining 3 record series date between 1960 and 1980. Members of the Records Review Committee sampled some of the Agreements in question and concurred that any lasting archival value was limited. Members of the Committee were in agreement that the "potentially archival" designation could be lifted from these records and their destruction scheduled.

The Committee also agreed that large quantities of legal opinion files retained over the years could also be scheduled for destruction. It is important to note that the Law Department has always retained and still retains the ability to selectively retain records of lasting archival value. In the case of legal opinions, the Law Department will select various files to retain at the end of each year, the remainder can be scheduled for destruction in accordance with the City's Retention and Destruction of Records By-law.

The Committee also determined that the record series entitled Real Estate Appraisals and Organizations\Institutions contained no records of lasting archival value. In the case of Real Estate Appraisal files, the retention of these records is to a large degree a duplication of similar records retained by the City's Property Department.

After a complete review of all the identified record series the Records Review Committee agreed that the request for the destruction of the 6 record series was reasonable given the limited lasting archival value of any of the identified record series. Therefore the Committee agreed that the 6 record series could be scheduled for destruction within the parameters of the City's Retention and Destruction of Records By-law.

c.c. Patrice Noé Johnson, City Solicitor, Law Department
Brian Henley, Special Collections, Hamilton Central Public Library

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 February 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Use of Optical Scanning Vote Tabulators**

RECOMMENDATION:

That a by-law to authorize the use of Optical Scanning Vote Tabulators for the 1997 City of Hamilton Municipal Election be enacted by Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Section 42 of the new Municipal Elections Act, 1996 requires the Council of a Municipality to pass a by-law to authorize the use of voting and vote counting equipment such as optical scanning vote tabulators in a Municipal Election.

BACKGROUND:

City Council on 1996 August 27 in adopting Section 31 of the 14th Report of the Finance and Administration Committee authorized the rental of Optical Scanning Poll Level Tabulation Units for the 1997 City of Hamilton Municipal Elections. Subsequent to the adoption of the above noted resolution a Contract has been prepared and executed by the supplier of the Tabulation Units, Global Election Systems.

c.c. Lorne Farr, Solicitor, Corporate and Litigation Division, Law Department

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize

THE USE OF OPTICAL SCANNING VOTE TABULATORS

WHEREAS the Municipal Elections Act, 1996 was enacted by the Better Local Government Act, (Statutes of Ontario, 1996, Chapter 32);

AND WHEREAS Council, on August 27, 1996 in adopting Section 31 of the 14th Report of the Finance and Administration Committee authorized the rental of Optical Scanning Poll Level Tabulation Units for the 1997 Municipal Election;

AND WHEREAS Section 42 of the Municipal Elections Act, 1996, permits a Council to authorize the use of Optical Scanning Poll Level Tabulators;

AND WHEREAS Council, on February 25, 1997, in adopting Section (specify) of the (specify) Report of the Finance and Administration Committee authorized the By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Council hereby authorizes the City Clerk to use Optical Scanning Poll Level Tabulators for any future City Election.

PASSED this 25th day of February , 1997.

CITY CLERK MAYOR

CITY OF HAMILTON

- RECOMMENDATION -

C.

DATE: 1997 February 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of Construction of Independent Concrete Sidewalks on the North Side of Stone Church Road East from Upper Ottawa Street to Approximately 550m Easterly and on the South Side of Stone Church Road East from Upper Ottawa Street to Dartnall Road

RECOMMENDATION:

(a) That the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct:

(i) Independent Concrete Sidewalks on the North Side of Stone Church Road East from Upper Ottawa Street to Approximately 550m Easterly (East Limit of 1249 Stone Church Road East) at an estimated gross cost of $73,000 with a City's Share of $19,591.96 to be financed from the provisional 1997 capital levy (Account Centre No. CH 22002) and the balance of $53,408.04 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and

(ii) Independent Concrete Sidewalks on the South Side of Stone Church Road East from Upper Ottawa Street to Dartnall Road at an estimated cost of $141,000 with the City's share of $55,859.56 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of $85,140.44 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years.

b) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of $138,548.48 for a term not to exceed 15 years for the above projects.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Provisional 1997 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $250,000 to be financed from the 1997 Capital Levy. The City's share of Local Improvements approved in 1997 including this recommendation, amount to $75,451.52. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1997 March 3. The details of this project are outlined in the letter from D. Lobo, Director of Public Works, dated 1997 February 21.

NRA:jc

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley and D. Powers
J. Bruzzese, Acting Commissioner of Finance, Region
V.J. Abraham, M.C.I.P., Director of Local Planning
D.Y. Onishi, Director of Design and Construction, Roads Department, Region
J. van der Mark, Special Project Office

D.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 February 27th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Minutes - Hamilton Status of Women Sub-Committee - meeting held Monday, 1996 December 2nd

(b) Minutes - Hamilton Status of Women Sub-Committee - meeting held Monday, 1997 January 6th

(c) Correspondence - Hamilton Professional Fire Fighters Association - Bill #84 - The Fire Prevention and Protection Act - letter dated 1997 February 11th

(d) Correspondence - Dr. James G. Young, Chief Coroner, Province of Ontario - Dofasco fatality - letter dated 1997 February 10th

(e) Correspondence - Dr. William J. Lucas, Regional Coroner Niagara - Dofasco fatality - letter dated 1997 February 12th

(f) Correspondence - A.M.O. - Important Changes to AMO's Resolutions Process - letter dated 1997 February 11th

(g) Correspondence - A.M.O. - The New Municipal Mandate - Understanding the Government's Announcements - dated 1997 January

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN\MUNICIPAL
CA4 ON HBL A05
C51F31
1997



Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

Tuesday, 1997 April 1
1:30 o'clock p.m.
Room 233, City Hall

APR 1 1997

GOVERNMENT DOCUMENTS

Susan K. Reeder
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **TREASURER**

   Taxation application processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statues of Ontario, 1990

4. **TREASURER, CHIEF ADMINISTRATIVE OFFICER, COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

   Municipal Trunked Radio Project: Project Status and Financing arrangement

5. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

   (a) Placement of Plaque in Lobby of City Hall Hamilton Sesquicentennial Celebration Inc.

   (b) Award of Contract - City Hall - Replacement of Existing Chillers - Canada/Ontario Infrastructure Works Program - M1610112

(c) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property - 36 Newlands Avenue (Car Park #4B); 56 Kenilworth Avenue North (Car Park #30); 1368 Barton Street East (Car Park #58) - referred from City Council

6. **FIRE CHIEF**

(a) Purchase of Three (3) 4 Cylinder, 4 Door Sedans and One (1) Full Size Cargo Van Style Body Truck

(b) Purchase of Three (3) Commercial Type Dual Purpose Vehicles

7. **ALDERMAN D. WILSON**

Provincial Downloading - A.M.O. Negotiations with the Province

8. **OTHER BUSINESS**

9. **ADJOURNMENT**

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990**

RECOMMENDATION:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $23,001.42 be approved and charged to CH55307-24104 Tax Remissions.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A - See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of the Municipal Act, R.S.O. 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are valid and therefore may only be heard and approved by Council provided that they comply with subsection (5) and that all applications have been confirmed and approved by the Regional Assessment Commissioner.

The Regional Assessment Commissioner has confirmed and approved these appeals and I am recommending that the attached summary of tax appeals applications be approved and charged to the Tax Remissions Account.

These particular appeals had inadvertently been delayed at the Assessment Department offices and therefore not included on the previous list which was presented to Committee in January.

As the realty tax reductions pertain to property owned by the Hamilton Harbour Commissioners, the City Law Department has been contacted in order to determine whether these reductions may be offset against outstanding realty taxes on other properties owned by the Hamilton Harbour Commissioners.

c.c. P. Noé Johnson, City Solicitor

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
REALTY				
95-0132	030 2250 8640	1994	G	7,088.75
95-0133	030 2250 8640	1995	G	7,287.99
		TOTAL REALTY		14,376.74
BUSINESS				
96-0002	030 2250 8640 0220	1995	B	4,372.31
96-0003	030 2250 8640 0220	1994	B	4,252.37
		TOTAL BUSINESS		8,624.68
		TOTAL ADJUSTMENT		23,001.42

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka
Chief Administrative Officer

A. C. Ross
Treasurer

D. Lobo
Commissioner of Public Works & Traffic

SUBJECT: Municipal Trunked Radio Project:
Project Status and Financing Arrangement

RECOMMENDATION:

(a) That the City Treasurer be authorized to provide 1997 Current Budget appropriation under a separate Centre as Municipal Trunked Radio Project (Financial Section) in the total amount of $340,420 for the following departments by correspondingly reducing the provision for debt charges in 1997:

Fire Department	$260,400
Public Works and Traffic Department - Traffic	18,980
Public Works and Traffic Department - Streets	58,630
Clerk's	2,410
	$340,420

(b) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board to reallocate the excess debenture proceeds of $2,000,000 from Public Safety Trunking Radio, Account Centre No. CF 489151023 (O.M.B. No. E910209 dated June 21, 1991 and City By-Law No. 91-105 for $2,500,000), to 1995 Roads and Sidewalk Reconstruction Program - Local Roads - Phase I, Account Centre No. CF 529542001 (City By-Law Nos. 95-090 and 95-216).

RECOMMENDATION: - cont'd

(c) That the balance of the debenture authority in the amount of $500,000 be cancelled and that the actual expenditures of $130,230 and $130,000 for the July to December 1996 Lease and Administration and Operations costs of the Municipal Trunked Radio Project to an estimated total of $260,230, Account Centre No. CF 489151023 for the above account be financed by the Reserve for Debt Charges Account Centre No. CH 00108.

(d) That the City Treasurer be authorized to continue to pay to the Regional Municipality of Hamilton-Wentworth in relation to a sale/lease back agreement on behalf of the City of Hamilton for the annual lease cost of Municipal Trunked Radio Project.

(e) That the provision for the additional cost of the Municipal Public Safety Trunking Radio System in 1999 for $420,000 (Project No. 55.0) be deleted from the plan of 1997-2006 Capital Budget Programme.

(f) That the appropriate Department/Division be directed to absorb from their overall budget the shortfall of the annual lease cost of their administration and operations budget, noted below, in relation to their Radio Trunking System:

Fire	$33,672.24
Traffic	3,880.35
Public Works	2,148.25
Clerk's	1,055.29
	$40,756.13

(g) That staff be authorized to participate in the Municipal Trunked Radio Project Steering Committee (a joint Committee of four, Regional Users, City of Hamilton Users, Other Area Municipality Users and the Regional Chief Administrative Officer's office).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's 1991-1995 Capital Budget had a provision of $2,500,000 for Public Safety Trunking Radio to be financed by the issuance of debentures. The Ontario Municipal Board has approved the project under OMB No. E 910209 dated 1991 June 21 at $2,500,000 and City By-Law No. 91-105 was approved by Council on 1991 June 21.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: - Cont'd

The 1997-2006 Capital Budget Programme has a provision of $420,000 in 1999 for the increased cost of the Municipal Radio Trunked System.

An analysis of Expenditures to date:

Actual

(a) Fire Department - Miscellaneous administrative cost and operating expenditures, include vehicle, office supplies, mileage, site visit, office furniture, software, telephone charges, etc.:

-	1991	$ 22,503.16
-	1992	10,841.42
-	1993	5,086.95
-	1994	4,704.04
-	1995	1,882.03
-	1996	387.58
	Sub-Total	$ 45,405.18

(b) Regional Municipality of Hamilton-Wentworth

-	1996 Administration & operating fees	84,825.00
		$130,230.18

Estimated

Expenditure July to December 1996 Capital Lease cost for the City of Hamilton	$130,000.00
	$260,230.18

BACKGROUND:

Project History

The Hamilton-Wentworth Municipal Trunked Radio project was initiated to improve the quality of radio communications within the City of Hamilton and the Region for emergency services and for public utilities. The project is a cooperative effort between the partners involved, with each sharing costs proportionally.

The project was divided into two phases; the first involving the Hamilton-Wentworth Regional Police and the City of Hamilton Fire Department as well as other area municipality fire departments. The second phase includes The Public Works and Traffic Department of the City of Hamilton as well as other departments from the City of Hamilton and the Region of Hamilton-Wentworth.

Project History - Cont'd

Initial design and research for the project began in 1990. Desired improvements were highlighted and included the reduction of radio interference that was a common occurrence in the old system and improvements in radio coverage, reliability, security and safety. Additional advantages from a new system include the ability to integrate the use of radios between normally independent users during emergencies.

In May of 1994 a contract was signed between the Region of Hamilton-Wentworth and Motorola for the supply and installation of equipment. The Region, as the manager of this project, has acted on behalf of the other users, coordinating contract details and confirming satisfactory completion of the work.

Project Status

Phase I

Phase I began in 1995 with the construction of infrastructure and the delivery of user equipment. Installation continued into 1996 with radios being installed in vehicles and system trials undertaken.

The Hamilton Fire Department received more than 225 radios and their entire radio network was converted to the new system. Radio dispatch equipment was installed in the new Macassa Park Fire Hall and dispatch centre.

After extensive testing of the equipment and in-use trials, Phase I of the project was given final acceptance in June of 1996. Operator training has been completed and Phase I partners have confirmed satisfaction with the operation of the system.

Phase II

Phase II of the project officially began in November 1996. The primary partners in this phase are the City of Hamilton, with the Public Works and Traffic Department, as well as the Culture and Recreation and Clerk's Departments, and the Region of Hamilton-Wentworth Roads and Environmental Departments.

This phase will see the provision of user equipment to front line personnel in those departments. There will also be the installation of additional infrastructure equipment. In addition, there will be the installation of two new dispatch consoles at City Hall, one of which will replace the radio portions of the existing night dispatch desk.

Phase II - Cont'd

Construction of Phase II is simplified because all of the radio towers, buildings, interconnecting circuits and major contracting have already been completed in Phase I. Phase II infrastructure is expected to be completed by midyear. Final acceptance for Phase II is scheduled for October 1997.

Leasing Arrangement by the Regional Municipality of Hamilton-Wentworth on behalf of the Region and Area Municipalities

During 1996 the Region entered into a sale/leaseback agreement with MFP on behalf of the Region and Area Municipalities. MFP will become the owner of the Region's Radio Trunking System and will enter into a series of operating lease agreement pursuant to which will have fixed monthly lease payment obligations for periods of between 60 and 193 months.

Under normal circumstances, the rate of the issuance of 5 year or 10 year debentures would be estimated at 43 basis points above the Government of Canada 5 or 10 year bond rate. Under the proposed lease agreement the rate is 170 or 157 basis points lower than the 10 year Government of Canada Bond Rate based on medium-term or long-term equipment. The details of which are outlined in the letter of Jim Bruzzese, Acting Treasurer and Commissioner of Finance dated 1996 August 28 which includes the analysis of KPMG Peat Marwick Thorne regarding "MFP Operating Lease Proposal for the Region's Corporate Radio Trunking System".

Municipal Trunking Radio - Summary of Capital and Lease costs:

Capital Cost

Department/ Divisions (1)	No. of Units (2)	Capital Cost (3)	Annual Lease Cost (4)	Total User Equip & Infrastructure Annual Lease Cost (5)	1997 User Lease Cost (6)
User Equipment					
Phase I					
Fire	224	$ 762,005.76	$162,595.08		$162,595.08
Phase II					
Traffic Division	63	106,747.31	23,276.96		11,638.48
Public Works	198	335,491.54	73,156.16		35,578.08
Clerk's	8	13,555.21	2,955.80		1,477.90
Sub-Total	513	$1,217,799.82	$261,984.00		$211,289.54

Municipal Trunking Radio - Summary of Capital and Lease costs: - Cont'd

Department/ Divisions (1)	No. of Units (2)	Capital Cost (3)	Annual Lease Cost (4)	Total User Equip & Infrastructure Annual Lease Cost (5)	1997 User Lease Cost (6)
Infrastructure					
Phase I					
Fire	224	$ 758,460.87	$ 97,804.56	$260,399.64	$ 97,804.56
Phase II					
Traffic	63	116,635.71	14,672.82	37,949.78	7,336.41
Public Works	198	366,569.37	46,114.57	119,270.73	23,057.29
Clerk's	8	14,810.88	1,863.21	4,819.01	931.61
Sub-Total	513	1,256,476.84	160,455.16	422,439.16	129,129.87
Total		$2,474,276.66	$422,439.16		$340,419.41

The City's 1997-2006 Capital Budget debt forecast includes a forecast of debt charges related to this project based on ten year amortization of debt as follows:

Public Safety Trunking Radio			
-	previously issued debt of	$2,000,000	$265,000
-	Balance of debt	500,000	71,190
	Total appropriation available		$336,190

The amount of $336,190 is lower than the requested appropriation of $422,439, but given shorter term, potential for upgrading and overall Regional decision, City should participate.

The total 1997 user lease cost of $340,419 can be funded from the funding available from the current savings of 1997 debt charges noted above. Even though the City needs an additional $82,000 for the 1998 allocation based on annualized cost, there is a possibility of savings in debt charges such as $420,000 provision for additional cost of the Municipal Trunked Radio in 1999, etc. These savings will be incorporated in the overall financial plan and would not cause any increase in the overall base.

Administration & Operations

Department/ Divisions (1)	Annual Cost (2)	% of Annual Cost (3)	1997 Cost (4)	1997 Budget Appropriation (5)	1997 Shortfall of Appropriation (6)
Fire	$ 64,372.24	58.3%	$64,372.24	$30,700	$33,672.24
Traffic	16,620.70	9.8	8,310.35	4,430	3,880.35
Public Works	52,236.49	30.7	26,118.25	23,970	2,148.25
Clerk's	2,110.57	1.2	1,055.29	-	1,055.29
	$135,340.00	100.0%	$99,856.13	$59,100	$40,756.13

The annual cost of $135,340 represents mainly the City of Hamilton's share of cost in relation to the Project Co-ordinator's salaries and benefits, office administration costs such as mileage, training, telephone, supplies, etc., and operation costs to include radio license fees, data lines fibre optic ring, other annual fees, etc.

At present the City's Current Budget does not reflect the full current provision required for the current administration and operations cost. A shortfall exists in the amount of $40,756 in 1997 and $76,240 in 1998 in comparison with the annualized cost. It is recommended that the department/division should absorb the shortfall of funding in relation to the administration and operation lease cost in 1997 out of the existing overall general operation of the budget.

Past and Future Project Participation

Upon initiating the purchase of the Municipal Trunked Radio System and the involvement of the City in this transaction no formal written agreement was drafted. This is similar to other arrangements between the City and the Region for shared services where there is no formal agreement in place between the two parties. While the method of financing has been changing to a lease, the unwritten agreement remains the mechanism for project participation.

Coordination of the project has been and continues to be provided through the Municipal Trunked Radio Project Steering Committee. The committee is composed of four members, representing: Regional Users, The City of Hamilton Users, Other Area Municipality Users and, The CAO's Office of the Region. Currently the City of Hamilton representative at the committee serves as vice-chair.

Key roles/decisions for this group in the future include decision making in relation to the ongoing replacement of equipment, technology, etc. It is necessary to ensure that the City's views are represented.

Past and Future Project Participation Cont'd

It is recommended that participation on the Project Steering Committee be endorsed by Council. The Commissioner of Public Works and Traffic or his designate will fulfill that role at the present time.

It is also recommended that a sub-committee be formed that would consist of representative from each city user group. Users include Public Works, Traffic, Fire and Clerks. Representatives would be designated by their respective department heads.

NRA/BJM

c.c. P. Noé Johnson, City Solicitor
J. Schatz, City Clerk
R. Fair, Director of Culture & Recreation
L. King, Building Commissioner
G. Desjarlais, Acting Chief, Fire Department

CITY OF HAMILTON

- RECOMMENDATION -

5. (a.)

DATE: 1997 March 26

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. Pavelka
Chief Administrative Officer

Mr. D. Vyce
Director of Property

SUBJECT: Placement of Plaque in Lobby of City Hall
Hamilton Sesquicentennial Celebration Inc.

RECOMMENDATION:

That the City accept with thanks the donation from Hamilton Sesquicentennial Celebration Inc. of an engraved stone tablet and plaque commemorating the City's year long sesquicentennial celebration which took place during 1996 and that the donation be displayed on an inside marble pillar on the first floor east side of City Hall at the pleasure of Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost of mounting the stone tablet and plaque of approximately $500.00 will be borne by the Property Department.

BACKGROUND:

Mr. Carmen Rizzotto, Executive Director of the Hamilton Sesquicentennial Celebration Inc. has request that an engraved stone tablet and plaque commemorating the year long celebration of our City's 150th Anniversary be displayed in City Hall. The stone engraving for the most part is a sand colour and contains the black coloured logo adopted as the official insignia of the celebration and the numbers 1846 - 1996. The plaque which has yet to be produced will contain the following wording and will be hung beneath the stone engraving:

Dedicated
To The Citizens of Hamilton
On The Occasion of Our City's 150th Birthday
by
His Worship
Mayor Robert M. Morrow
And
Hamilton Sesquicentennial Celebration Inc.

The plaque will also contain the following words in smaller print:

The Logo Was Designed by
City Employee and Graphic Artist
Richard Freedman

A picture of the stone engraving is attached to this report. The actual stone engraving will be available at the Finance and Administration Committee for viewing.

The interior of City Hall contains a variety of objects on display, many of which have been gifted to the City to commemorate a significant happening in our City.

The policy on the acquisition and display of plaques and memorabilia in City Hall was adopted by the Finance and Administration Committee in May of 1993. The donation by Hamilton Sesquicentennial and the placement within City Hall adheres completely to the scope of the policy guidelines.

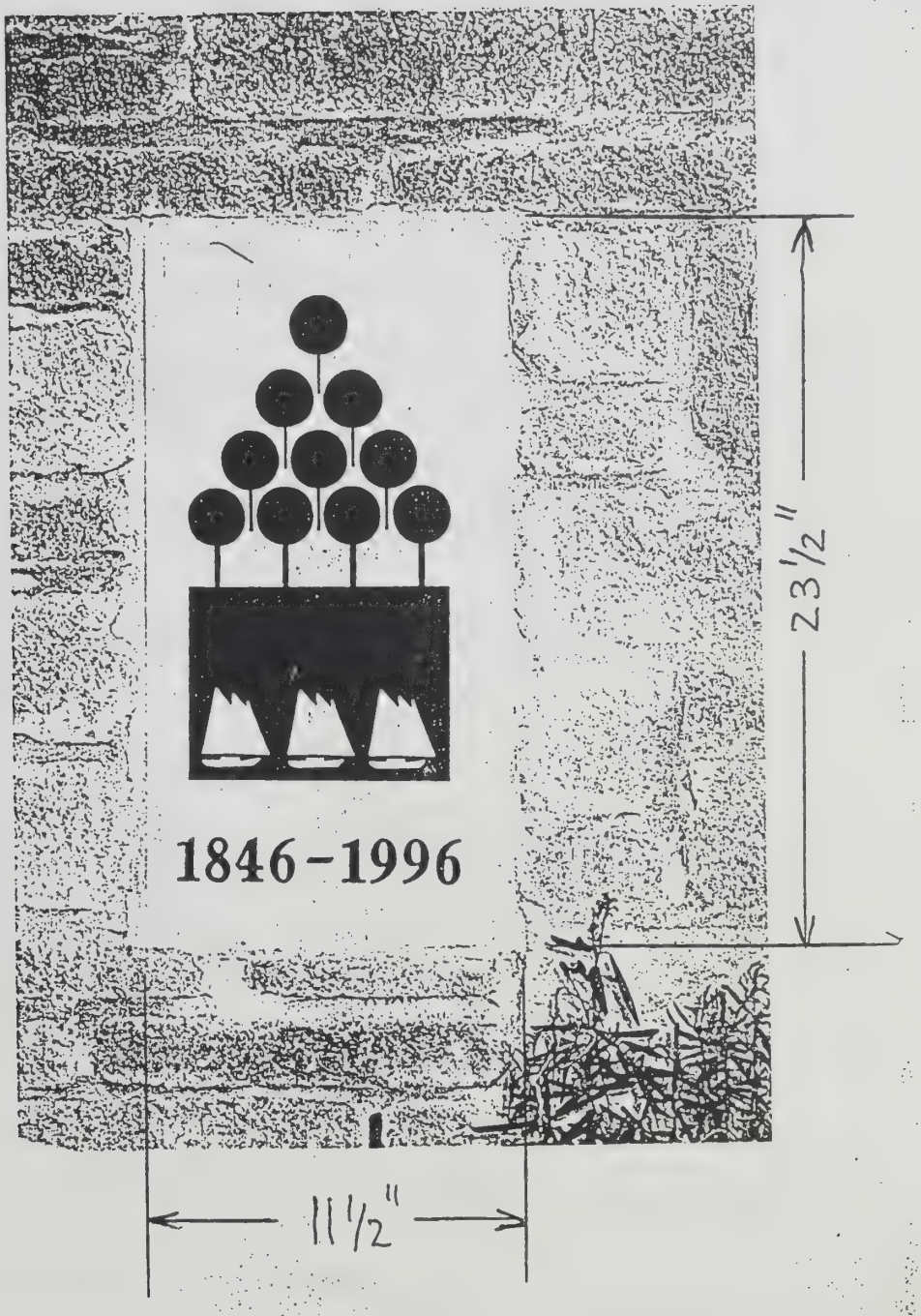
The professional quality of the memorabilia being donated to the City for display in this case is of high calibre and will enhance the aesthetics of the building. The historical or importance of the event and the donating organization is without question.

The organization has asked if the City would be responsible for the cost of mounting the stone tablet and plaque. The Property Department will arrange for the installation.

In discussion with Mr. Rizzotto, it has been mutually agreed that an appropriate location for this memorabilia would be on a black marble pillar inside the first floor level, eastside of City Hall. The black marble background will provide a nice contrast to the grey stone tablet. The location is in a high traffic area of the building where it can be readily recognized by persons visiting the building.

Accordingly, the Property Department recommends that the City accept the donation of the stone engraved tablet and plaque and that it be displayed in City Hall to Commemorate the year long celebration of 1996.

c.c. Robert M. Morrow, Mayor
T. Whitehead, Executive Assistant to the Mayor
R. Swan, Manager, Building Operations & Maintenance Division
J. J. Schatz, City Clerk


1846-1996
23 1/2"
11 1/2"

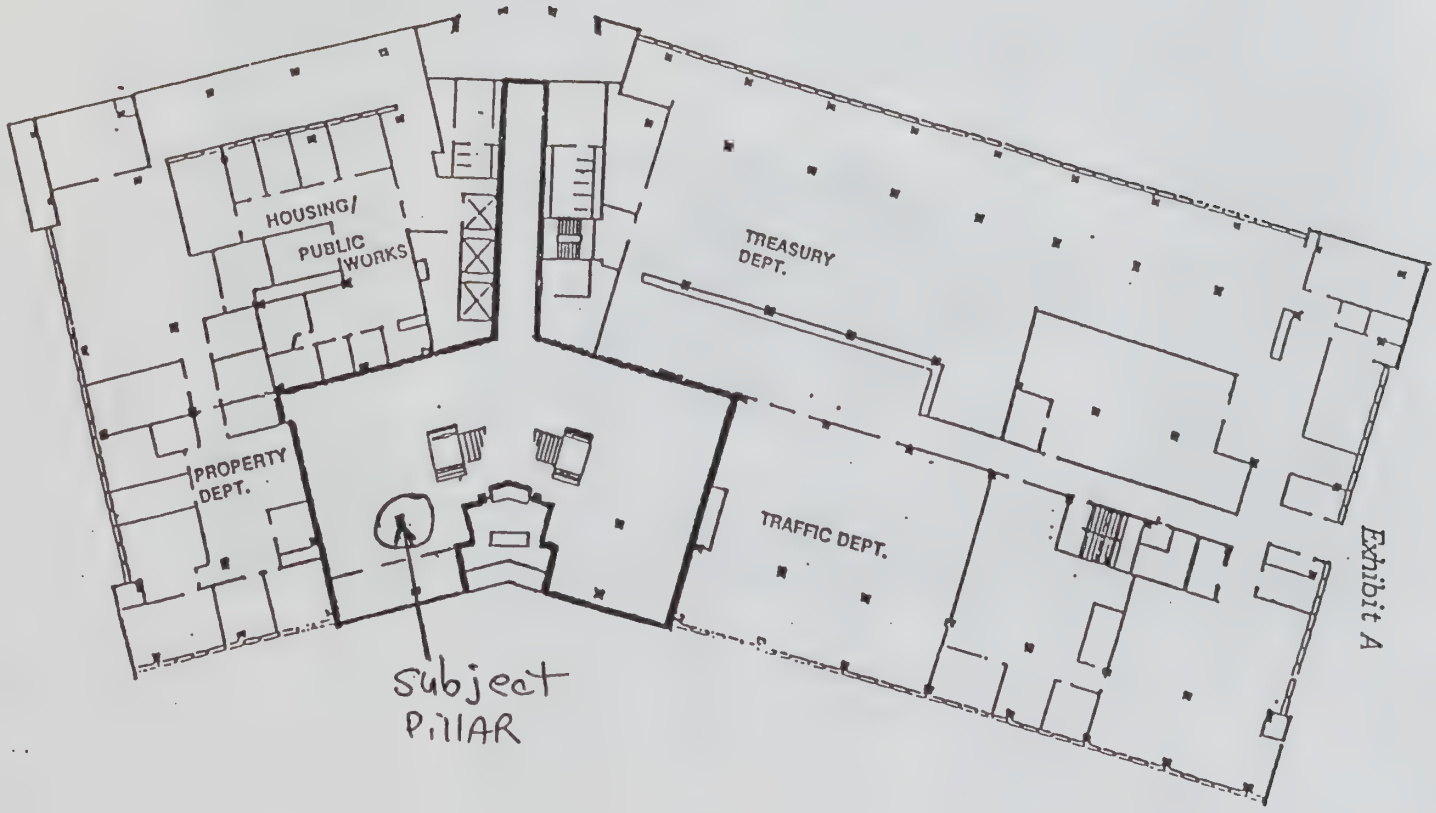


Exhibit A

FIRST LEVEL FLOOR PLAN

0 5 10 20 30

5. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Award of Contract - City Hall - Replacement of Existing Chillers - Canada/Ontario Infrastructure Works Program - M1610112

RECOMMENDATION:

(a) That approval be given to issue a purchase order in the amount of $159,344. inclusive of GST ($9,699.20) to Trane Canada Company for the supply, delivery and commissioning of a 500 ton, non-CFC centrifugal chiller for Hamilton City Hall, this being the lowest acceptable tender received in accordance with the specifications (Ref: C15-3-97) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That this project be funded through the Canada/Ontario Infrastructure Works Program, Account CF 809453012 City Hall - Replacement of Existing Chillers.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This work is included within the approved 1997 Capital Budget Program and is being partially funded through the Canada/Ontario Infrastructure Works Program and is within the estimated expenditure and budget (CF 809453012 - $340,000). The labour (to be tendered) for the removal of the old equipment and installation of the new chiller is estimated at $120,000.

BACKGROUND:

In response to the tender issued by the Purchasing Division (Ref: C15-3-97) for the supply, delivery and commissioning of a centrifugal chiller for the air conditioning of City Hall, two tenders were received:

Trane Canada Company	$159,344.00 inclusive of GST
York Air Conditioning Ltd.	$151,164.72 inclusive of GST

Based on the bid evaluation criteria the City's Consultant, PT Engineering of Hamilton, has recommended the purchase of the Trane chiller over the York chiller for the following primary issues:

.1 Trane's direct drive, low speed compressor with part load efficiencies, sound levels, size, purge unit and warranty period meets the requirements of the specifications.

.2 Trane's free cooling consumption is 0.0 kW during winter cooling.

.3 York's free cooling consumption is 0.2 kW during winter cooling.

.4 Unconfirmed summer part load efficiency savings of York's variable speed drive (V.S.D.)

.5 York's electrical transformer with or without V.S.D. will require field supplied circuit breaker and additional field wiring (additional cost unknown until installation tendered).

.6 York's purge unit not as specified.

.7 York's single stage compressor not equipped with hot gas bypass as specified.

.8 York's compressor warranty is two (2) years not five (5) as specified.

Two of the three existing centrifugal chillers are original equipment (1960 vintage) and have surpassed their normal life expectancy. Furthermore, the decommissioning and replacement of this equipment is in keeping with the Property Department's plans for the eventual phase out of all CFC refrigerants in accordance with the Montreal Protocol. The new chiller will utilize a non-cfc refrigerant which will have no negative affect on the protective ozone layer.

This project was included within the City's 1996 - 2000 Capital Budget Plan and was subsequently approved for funding through the Canada\Ontario Infrastructure Works Program 1997 January 6.

Due to the length of delivery for this equipment (approximately 20 weeks) and with the upcoming air conditioning season only a few weeks away, installation of the new chiller will commence around the end of October with substantial completion by 1997 December 31. The proposed schedule and location of the installation (City Hall Boiler Room) will result in no impact to the occupants of City Hall.

RD/rd

cc. P.Noé Johnson, City Solicitor, Law Department
Attention: P. Hooker, Senior Solicitor

A. Ross, City Treasurer, Treasury Department
Attention: J. Krochak, Senior Buyer
Attention: N. Adyha, Manager of Budgets

T.J. Fehr, Chief Engineer, Central Utilities Plant

5.(c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property:
(i) 36 Newlands Avenue, Car Park #4B
(ii) 56 Kenilworth Avenue North, Car Park #30
(iii) 1368 Barton Street East, Car Park #58

RECOMMENDATION:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 36 Newlands Avenue, Car Park #4B
(ii) 56 Kenilworth Avenue North, Car Park #30
(iii) 1368 Barton Street East, Car Park #58

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

Sale of the subject lands will generate additional property tax revenues. The Parking Authority lot at 36 Newlands developed residentially should yield annual property taxes estimated at approximately $6,000, as if vacant. The other commercial lands can be expected to generate approximately $6,000 in property taxes as undeveloped parcels of land.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a By-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

These properties being recommended as surplus have all been circulated to all City and Regional Departments and there has been no declared municipal interest.

DISCUSSION:

On 1997 March 11, City Council considered approval of a resolution which would formally declare eight (8) properties as surplus to City requirements. City Council approved the declaration of five (5) properties as surplus. At the request of Alderman D. Wilson, three (3) properties were deleted from the properties listed in the Council Agenda and were referred back to the Finance and Administration Committee for further consideration. These properties are 36 Newlands Avenue, 56 Kenilworth Avenue North and 1368 Barton Street East.

The subject properties have been in use as municipal parking lots and have been operated by the Hamilton Parking Authority (HPA). On 1995 December 20 the HPA advised the Property Department that these sites were deemed surplus to the requirements of the Authority. The sites have been closed to parking uses.

During February of 1996, we were requested to withhold taking any action to dispose of Parking Authority properties until such time as a report on off-street parking services was presented to the Finance and Administrative Committee. As of this date, a report has not been filed.

Various inquires to purchase these sites have been received by the Property Department. In view of this, the Finance and Administrative Committee has asked that these Parking Authority properties now be put forward for consideration as surplus properties.

VDP/nw

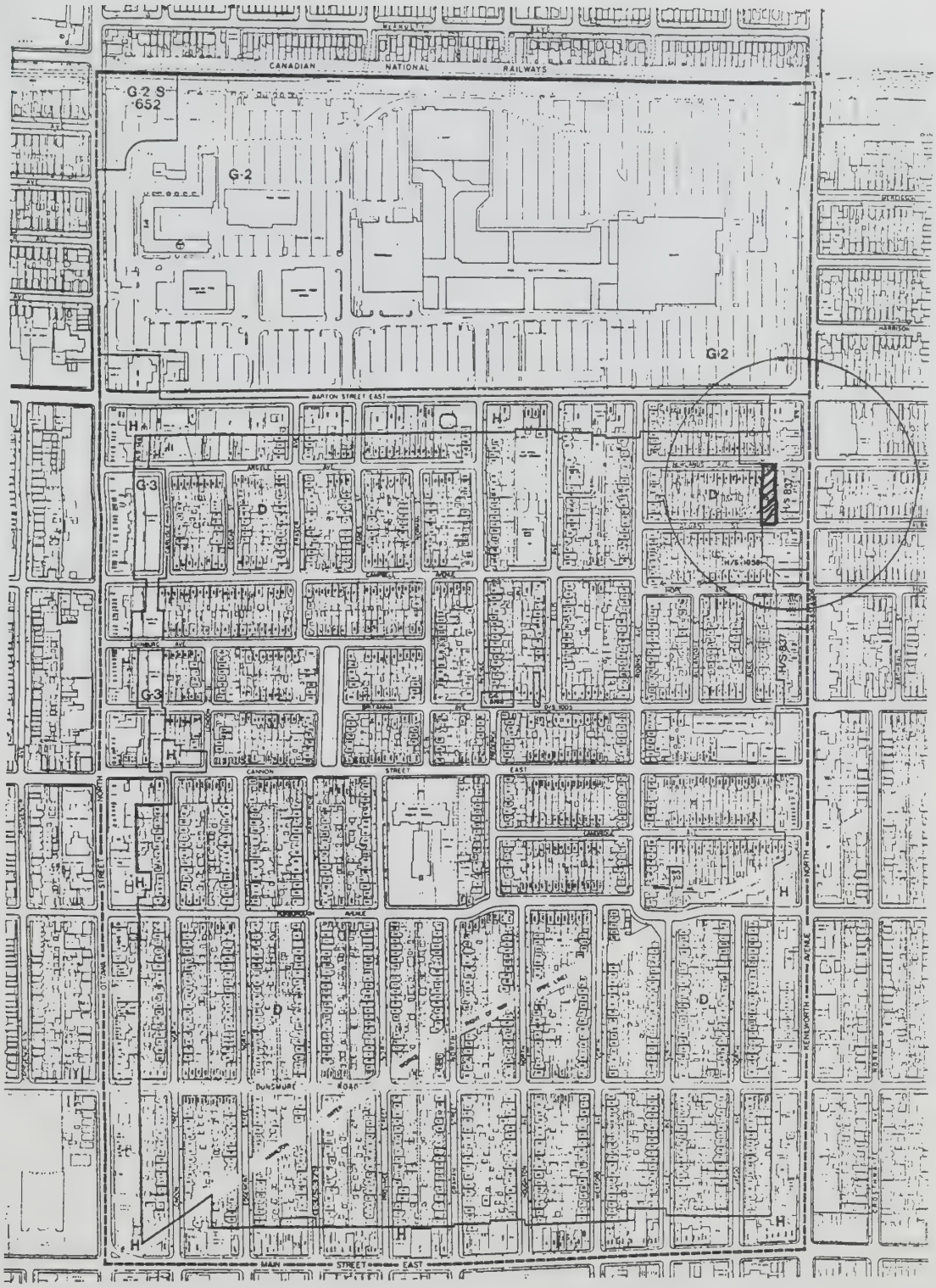
c.c. Alderman G. Copps, Alderman, Ward 4
Alderman Dave Wilson, Alderman, Ward 4
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
D. Lobo, Commissioner of Public Works and Traffic
P. G. Baker, General Manager, Hamilton Parking Authority

PROPERTY DESCRIPTION

(i) 36 Newlands Avenue, Car Park #4B
Located on the south side of Newlands Avenue and the north side of Albany Avenue zoned G-3 (Public Parking Lot) and having dimensions of 55 feet by 200 feet . This property is designated "Commercial/Apartment" on the approved Crown Point East Neighbourhood Plan, but the Planning Department supports residential infill development for four (4) possible single family lots.

(ii) 56 Kenilworth Avenue North, Car Park #30
Located on the east side of Kenilworth Avenue North, zoned "H" (Community Shopping and Commercial), having dimensions of 37 feet by 100 feet . This property is designated "Commercial" on the approved Homeside Neighbourhood Plan, and the Planning Department supports the continuation of this commercial use.

(iii) 1368 Barton Street East, Car Park #58
Located on the south side of Barton Street East, zoned "H" (Community Shopping and Commercial), having dimensions of 60 feet by 104.48 feet. This property is designated "Commercial" on the approved Homeside Neighbourhood Plan, and the Planning Department supports the continuation of this commercial use.



c) 36 NEWLANDS AVE

72	73	74
35	34	66
37	36	9

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

CROWN POINT EAST

ZONING

Neighbourhood Boundary

Zoning Boundary.

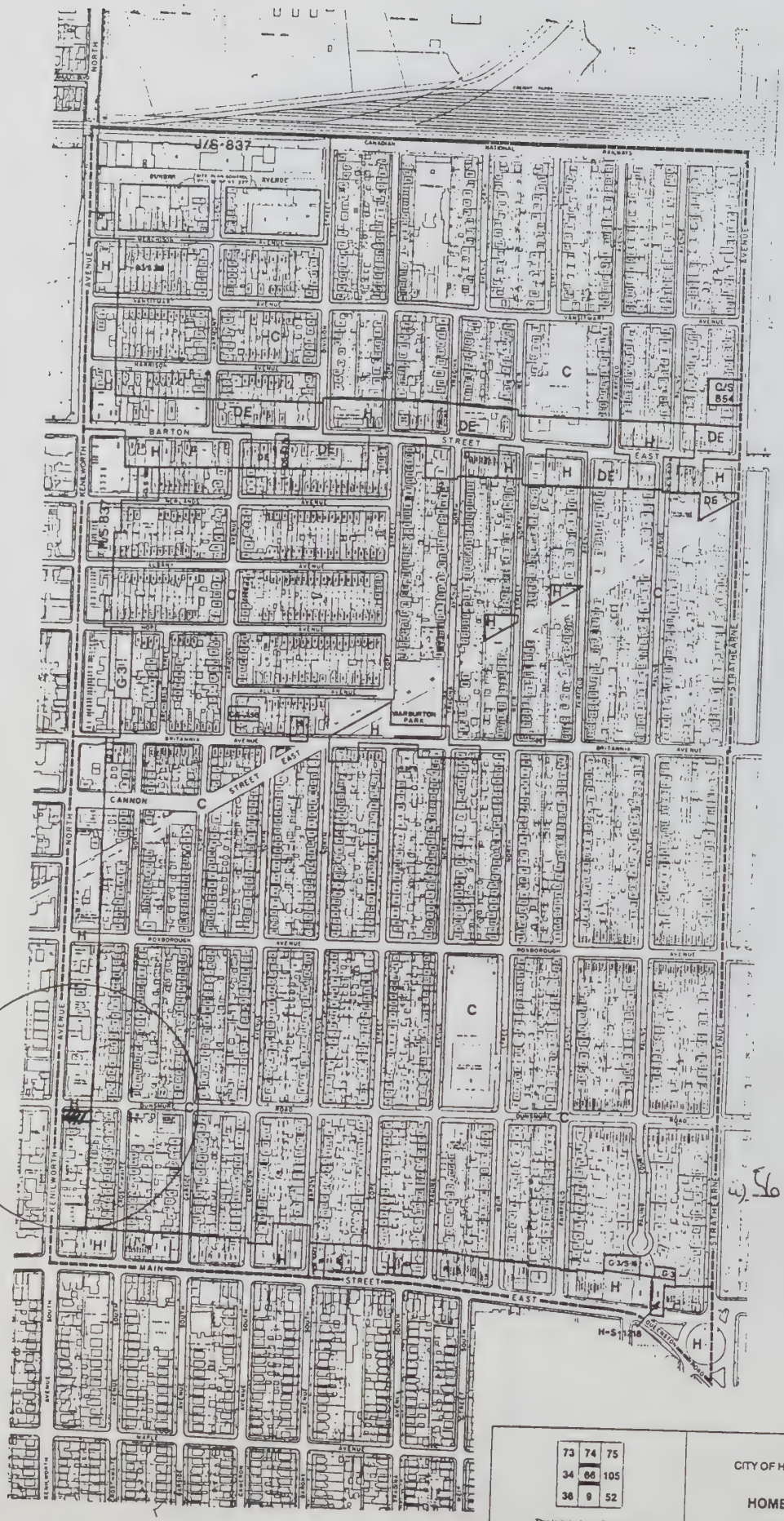
SCALE 0 50m 100m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6510

PAGE NO 34



E) To KENILWORTH N

73	74	75
34	66	105
38	9	52

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Contact City Building Department

CITY OF HAMILTON

HOMESIDE

ZONING

Neighbourhood Boundary
Zoning Boundary

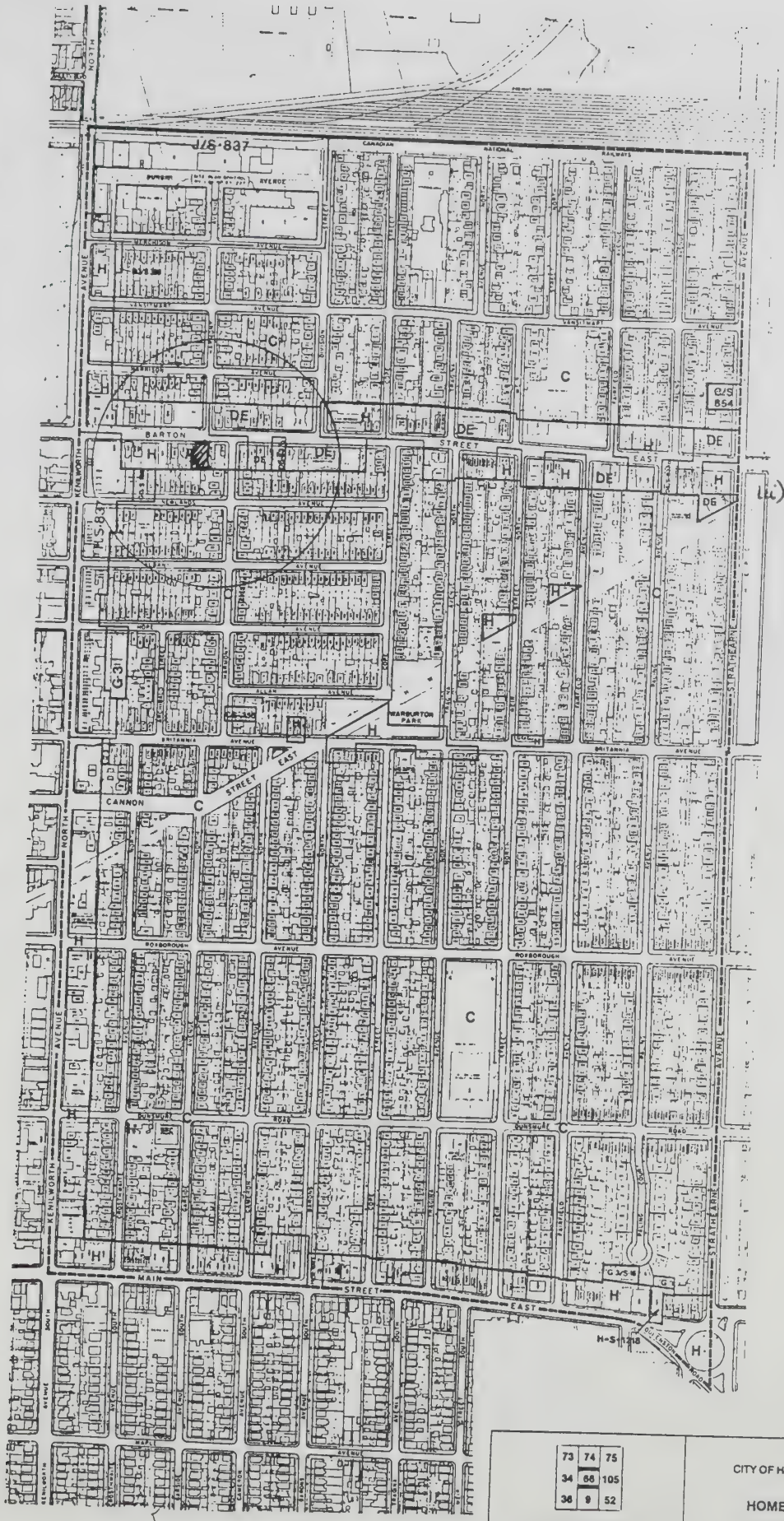
SCALE 0 30m 100m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6509

PAGE NO 66



(ii) 1368 Barton St. E.

73	74	75
34	66	105
36	9	52

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For Zoning Verification Please
Contact City Building Department

CITY OF HAMILTON

HOMESIDE

ZONING

Neighbourhood Boundary
Zoning Boundary

SCALE 0 30m 100m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6509

PAGE NO 66

6.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 21

REPORT TO: Mrs. S. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. G. L. Desjarlais
Acting Fire Chief

SUBJECT: Purchase of Three (3) 4 Cylinder, 4 Door Sedans and One (1) Full Size Cargo Van Style Body Truck

RECOMMENDATION:

a) That a purchase order be issued to Eastgate Ford Sales, Hamilton, Ontario, in an amount not to exceed $83,256.55 including all applicable taxes, for the supply and delivery of Three (3) 4 Cylinder, 4 Door Sedans, Ford Escorts, and One (1) Full Size Cargo Van Style Body Truck, Ford Econoline, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications.

b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle / Apparatus Replacement.

G. L. Desjarlais

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount shown above in the recommendation includes G.S.T. @ 7% and P.S.T. @ 8%. The net cost after G.S.T. rebate and trade-in / disposal of the vehicles being replaced, will not exceed $59,860.67. The approved budget for this purchase is $79,000.

All purchasing policies and procedures have been followed and this recommendation is endorsed by the Purchasing Division.

BACKGROUND:

Nine tender documents were picked up by potential bidders. Seven completed bids were received for the 4 Door Sedans. Two bids were returned advising that the companies were unable to bid at this time. Eight completed bids were received for the Full Size Cargo Van. One bid was returned advising that the company was unable to bid at this time.

GLD/rdj

c.c. Mr. A. Ross, Treasurer
Mr. C. Rendell, Buyer II

6. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 21

REPORT TO: Mrs. S. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. G. L. Desjarlais
Acting Chief

SUBJECT: Purchase of Three (3) Commercial Type Dual Purpose Vehicles

RECOMMENDATION:

a) That a purchase order be issued to Hamilton Motor Products, Hamilton, Ontario, in an amount not to exceed $108,969.87 including all applicable taxes, for the supply and delivery of Three (3) Commercial type dual purpose vehicles, G.M.C. Suburbans, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications.

b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle / Apparatus Replacement.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount shown above in the recommendation includes G.S.T. @ 7%. P.S.T. is not applicable. The net cost after G.S.T. rebate and trade-in / disposal of the vehicles being replaced, will not exceed $86,396.25. The approved budget for this purchase is $90,000.

All purchasing policies and procedures have been followed and this recommendation is endorsed by the Purchasing Division.

BACKGROUND:

Nine tender documents were picked up by potential bidders. Five completed bids were received. Four bids were returned advising that the companies were unable to bid at this time.

GLD/rdj

c.c. Mr. A. Ross, Treasurer
Mr. C. Rendell, Buyer II

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 April 1
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held on Tuesday, 1997 March 4th

B. CITY SOLICITOR

Assignment of Westcoast Gas Services Inc. Gas Purchase Contract to Engage Energy Canada, L.P.

C. COMMISSIONER OF HUMAN RESOURCES

Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1997 March 21st

D. TREASURER

Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1997 March 4
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman T. Anderson
Alderman D. Drury
Alderman V. J. Agro
Alderman M. Kiss

Also present: Alderman H. Merling
Alderman M. Caplan
Alderman F. Eisenberger
Alderman B. Morelli
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
S. Hollowell, City Clerk's Office
Acting Fire Chief Desjarlais
D. Vyce, Director of Property
R. Fair, Director of Culture and Recreation
B. Desnoyers, Property Department
L. King, Building Commissioner
M. Watson, Real Estate
D. Lobo, Commissioner of Public Works and Traffic
Susan K. Reeder, Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

BB. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - City of Hamilton -ats- Marlene Brown; Ontario Court (General Division) Small Claims Court, Action No. 6396/96

(a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 6396/96 by the payment to the Plaintiff, Marlene Brown, of the sum of $500 inclusive of all damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Small Claims Court Action No. 6396/96 be dismissed without costs.

CC. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY - Award of Contract - Janitorial Services - Various Recreational Facilities

(a) That approval be given to award the Cleaning & Maintenance Services contract for Bennetto, Churchill, Dalewood, Westmount and Chedoke Twin Pad Arena to Sunshine Building Maintenance Inc. of Burlington for a four year term commencing 1997 March 1 and terminating 2000 December 31 for a total of $450,274.32 plus G.S.T., with an option in favour of the City to renew for one additional term of three years pending satisfactory performance of the contractor and negotiated price increase, if any, this being the second lowest tender received in accordance to the specifications issued by the Purchasing Division Ref:C15-1-97; and,

(b) That the annual amounts quoted be financed from Current Budget Accounts CH 56332 31201 (Bennetto), CH 56332 31205 (Churchill), CH 56332 31210 (Dalewood), CH 56332 31250 (Westmount) and CH 56332 78238 Chedoke Twin Pad Arena; and,

(c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

DD. DIRECTOR OF CULTURE AND RECREATION - Update - Local 1041 Negotiations

That the Memorandum of Agreement dated 1997 February 27, between the Corporation of the City of Hamilton and the Canadian Union of Public Employees, Local 1041, be approved.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 February 18th, and approved these minutes as circulated.

B. CITY CLERK

(i) Records Review Committee Report #2

The Committee was in receipt of a report from the City Clerk dated 1997 February 24, respecting the above noted matter and approved the following:

That approval be granted to authorize the destruction of various City of Hamilton Law Department Records as recommended by the City's Records Review Committee. The following records previously identified as "potentially archival" in the 1992 Municipal Archives Report are approved for destruction in accordance with the City's Retention and Destruction of Records By-law. The record series approved for destruction are as follows:

(a) Contracts and Agreements (Under Seal)
(b) Highways and Agreements
(c) Labour Agreements
(d) Legal Opinions
(e) Organizations/Institutions
(f) Real Estate Appraisals

(ii) By-law - Use of Optical Scanning Vote Tabulators

The Committee was in receipt of a report from the City Clerk dated 1997 February 24, respecting the above noted matter.

The Committee approved the following:

That a by-law to authorize the use of Optical Scanning Vote Tabulators for the 1997 City of Hamilton Municipal Election be enacted by City Council.

C. TREASURER - Financing of construction of independent concrete sidewalks on the north side of Stone Church Road East

The Committee was in receipt of a report from the Treasurer dated 1997 February 27, respecting the above noted matter and approved the following:

(a) That as referred to in Section 23 of the Third Report for 1997 of the Transport and Environment Committee the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct:

(i) Independent Concrete Sidewalks on the North Side of Stone Church Road East from Upper Ottawa Street to approximately 550m Easterly (East Limit of 1249 Stone Church Road East) at an estimated gross cost of $73,000 with a City's Share of $19,591.96 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of $53,408.04 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and,

(ii) Independent Concrete Sidewalks on the South Side of Stone Church Road East from Upper Ottawa Street to Dartnall Road at an estimated cost of $141,000 with the City's share of $55,859.56 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of $85,140.44 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and,

(b) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of $138,548.48 for a term not to exceed 15 years for the above projects.

D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 February 27, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Minutes - Hamilton Status of Women Sub-Committee - meeting held Monday, 1996 December 2nd

(b) Minutes - Hamilton Status of Women Sub-Committee - meeting held Monday, 1997 January 6th

(c) Correspondence - Hamilton Professional Fire Fighters Association - Bill #84 - The Fire Prevention and Protection Act - letter dated 1997 February 11th

(d) Correspondence - Dr. James G. Young, Chief Coroner, Province of Ontario - Dofasco fatality - letter dated 1997 February 10th

(e) Correspondence - Dr. William J. Lucas, Regional Coroner Niagara - Dofasco fatality - letter dated 1997 February 12th

(f) Correspondence - A.M.O. - Important Changes to AMO's Resolutions Process - letter dated 1997 February 11th

(g) Correspondence - A.M.O. - The New Municipal Mandate - Understanding the Government's Announcements - dated 1997 January

3. MAYOR MORROW - Dinner Reception - World Women's Hockey Championship - Satellite Game: Russia vs China - 1997 March 31

The Committee was in receipt of a report from the Mayor dated 1997 February 27, respecting the above noted matter and approved the following:

That approval be granted for the hosting of a dinner reception by the Mayor, at Sackville Hill Seniors Centre, for the visiting delegates, teams, dignitaries and volunteers, following the World Women's Hockey Championship Game, featuring Team Russia vs Team China, on 1997 March 31 at an estimated cost of $2,400 to be charged to Account #CH54314-84010 Special Receptions.

4. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(a) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property - 6 Cascade Street

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 February 25, respecting the above noted matter.

The Committee approved the following:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 6 Cascade Street - Parcel A and B, Plan 1332

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

(b) Offer to Purchase (Tender) - Sale of City Property 55 DiCenzo Drive, Hamilton to Karl Ragoonanan and Wendy Archibald

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 February 24, respecting the above noted matter.

The Committee approved the following:

(a) (i) That an Offer to Purchase (Tender Form), duly executed by Karl Ragoonanan and Wendy Archibald, on 1997 February 17 and scheduled to close on or before 1997 March 21, for the lands being firstly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Parts 6 and 8 on Plan 62R-13294 and secondly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Part 11, Plan 62R-13294, having frontage along the easterly limit of DiCenzo Drive, Hamilton, being irregular in shape and containing an area of 474 square metres (5,108.7 square feet) more or less, municipally known as 55 DiCenzo Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $52,000 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $5,200 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory Notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 4th day of March 1997; and,

(3) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,

(b) (i) That the following City land be incorporated into the following street:

DiCenzo Drive - Part 12, Plan 62R-13294

(ii) That the By-law to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

(iii) That the Commissioner of Transportation be authorized and directed to register the By-laws.

(c) <u>Lease Renewal - Hamilton Municipal Employee Credit Union - 50 Jackson Street West</u>

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 February 18, respecting the above noted matter.

The Committee approved the following:

(a) That the Corporation of the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1996 November 2 and terminating on 2001 November 1; and,

(b) That the lease for the above space shall contain the following amending terms and conditions:

(i) Premises:

(1) The leased premises shall be reduced from 5,000 square feet to 2,500 square feet, upon approval of the lease amending and renewal agreement, through the construction of a demising wall and tenant improvements to be constructed by the Lessee to the satisfaction of the Canadian Football Hall of Fame and Museum Management Committee representative and the Director of Property; and,

(2) The leased premises shall have access to the existing washroom facilities for use by the tenant's employees; and,

(3) The portion of the existing leased premises no longer forming part of the new leased premises shall revert to the possession of the Canadian Football Hall of Fame and Museum upon the completion of said demising wall; and,

(ii) Term:

Five (5) years commencing 1996 November 2, terminating 2001 November 1; and,

(iii) Rent:

$10.50 per square foot (gross) effective 1996 November 2 to 1998 October 31. In October 1998 both parties will review the rent for an adjustment. Any adjustment in rent, up or down, must be based on market conditions at the time. There will be no change in rent unless market conditions have changed in excess of ten percent (10%). If the market conditions have not changed greater than ten percent (10%), then the rent will remain at $10.50 per square foot until 2001 October 31. If the market conditions have changed greater than ten percent (10%), then the adjusted rent, as determined by the change in market conditions, will remain in effect until 2001 October 31. The market conditions will be determined by the use of two independent appraisers, one selected by the Canadian Football Hall of Fame and Museum and the other selected by the Credit Union. These two appraisers must attempt to reach an agreement. If they are not able to do so, then these two appraisers will select a third appraiser who will determine the market conditions and the third appraisal will be binding on both parties; and,

(iv) Additional Terms:

(1) The Lessee will pay for its share of the increase in operating costs over the 1996 Base Year; and,

(2) As well the Credit Union will agree to pay any increase in property taxes that result from the leasehold improvements made to the space as occupied by the Credit Union; and,

(v) Option to Renew:

There will be an option to extend the rental agreement from 2001 November 2 until 2006 November 1 at a rent to be established by market conditions as at the month of 2001 October. The Canadian Football Hall of Fame and Museum will continue to have the right to terminate the lease as at 2001 November 1, provided that written notice is provided to the other party six months prior to 2001 November 1. If such notice is given by the Canadian Football Hall of Fame and Museum, the following conditions apply:

(1) The Credit Union shall be given a further six (6) months following the termination of the lease on 2001 November 1, to find a new location with the same terms and conditions as if the lease was continuing; and,

(2) In the event the Football Hall of Fame should wish to terminate the lease at 2001 November 1 then they shall be responsible to reimburse the Credit Union for one-half the cost of their leasehold improvements, to a maximum of $35,000. The leasehold improvements in question would be those that were expended during renovations the first quarter of 1997; and,

(c) That the Mayor and City Clerk be authorized to execute a lease renewal and amending agreement in a form satisfactory to the City Solicitor.

(d) **Selection of Real Estate Brokers to sell surplus commercial/industrial City-owned properties**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 March 3, respecting the above noted matter, and approved the following:

(a) That Blair, Blanchard, Stapleton Limited; Chambers & Company Limited; and, Royal LePage Commercial Inc. be retained to provide real estate brokerage services to sell surplus City commercial and industrial properties for a one year term; and,

(b) That the Director of Property be authorized and directed to sign the Multiple Listing Agreement for each surplus commercial/industrial property to be listed.

(e) **Information Report - 606 Aberdeen Avenue**

The Committee was in receipt of a joint information report from the Chief Administrative Officer and the Director of Property dated 1997 February 27, respecting the above noted matter, and agreed to receive this document for information purposes.

5. **CHIEF ADMINISTRATIVE OFFICER - Selection Committee to hire a New Fire Chief**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 February 26, respecting the above noted matter.

The Committee approved the following:

That Alderman D. Drury and Alderman D. Wilson be appointed as the two members of the Finance and Administration Committee to serve along with the Mayor, Chairman and Vice Chairman of the Finance and Administration Committee to sit as the Selection Committee to hire the new Fire Chief for the City of Hamilton.

6. **REFERRAL BACK FROM CITY COUNCIL - Declaration of Surplus Land: No. 1 Spruceside Avenue**

The Committee was in receipt of a memorandum from the City Clerk dated 1997 February 26, respecting the above noted matter.

The Committee approved the following:

(a) That Section 14(c) of the Eighteenth Report for 1996 of the Finance and Administration Committee approved by City Council at its meeting held 1996 November 12th respecting the declaration of property at 1 Spruceside Avenue as surplus property be rescinded; and,

(b) That the property at 1 Spruceside Avenue be retained as City property for greenspace use.

7. **CITY CLERK - Licence Agreement - Stand No. 176 - Hamilton Farmers' Market Coffee Shop**

The Committee was in receipt of a report from the City Clerk dated 1997 February 27, respecting the above noted matter, and approved the following:

(a) That the City Solicitor be authorized to amend the current lease agreement between Burton Hubbard, Marguerite Hubbard and Corrado Belacca and the City of Hamilton respecting the Farmers' Market Coffee Shop to remove Burton and Marguerite Hubbard as licensees and including John Malagrino as an added licensee; and,

(b) That the amended lease agreement continue to provide for the agreement to expire on 2000 August 31 with no option to renew, at a monthly rate of $439 for 1997, to be adjusted during the term of the agreement at the pleasure of Council.

9. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 March 4

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 21

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Assignment of Westcoast Gas Services Inc. Gas Purchase Contract to Engage Energy Canada, L.P.

RECOMMENDATION:

(a) That the City consent to the assignment of the gas purchase contracted between Westcoast Gas Services Inc. and the City to Engage Energy Canada, L.P.

(b) That the Mayor and Clerk be authorized to execute the Assignment document

P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below.

BACKGROUND:

Westcoast Gas Services Inc. has had a Contract to supply the City's natural gas since November 1, 1994. In October 1996, the City's gas purchase Contract with Westcoast Gas Services Inc. was extended until October 31, 1998.

In the attached letter, Westcoast Gas Services Inc. has informed the City that it will be merging with Coastal Gas Marketing Company to form a new limited Partnership, under the name of Engage Energy Canada, L.P. Westcoast Gas Services Inc. has asked the City to consent to the assignment of the gas purchase Contract to the merged Company.

ANALYSIS:

The City's Contract with Westcoast Gas Services Inc. requires the City's consent to any assignment of the Contract.

Westcoast Gas Services Inc. has indicated that the merged Company will handle all of its gas Contracts. The Property Department indicates that there have not been any problems with the performance of Westcoast Gas Services Inc. under the existing Contract.

The consent of Council to the assignment of the gas purchase Contract is, therefore, recommended.

PNJ/LEF:as

c.c. D. W. Vyce, Director of Property, **Attention: R. Desnoyers**
c.c. Allan C. Ross, Treasurer

ENGAGE

March 5, 1997

The Corporation of the City of Hamilton
71 Main Street West
Hamilton, ON
L8N 3T4

Attention: Bob Desnoyers

Re: Assignments of Contracts to Engage Energy Canada, L.P.

Westcoast Gas Services Inc. (WGSI) is pleased to confirm that it is merging its marketing operations with Coastal Gas Marketing Canada, a Division of Coastal Canada Petroleum Inc. (CGM) to form Engage Energy Canada, L.P. (Engage), an Alberta limited partnership. Effective June 1, 1997 through this joint venture, CGM and WGSI are contributing to Engage substantially all of their Canadian assets and consolidating all Canadian natural gas, energy services and power marketing operations and related activities. CGM and WGSI contracts therefore will be assigned to Engage effective as of that June 1, 1997 date.

A similar process is underway in the United States, as the Coastal and WGSI U.S. energy marketing affiliates are contributing their assets to Engage Energy U.S., L.P. as a new partnership.

Under the language of some of WGSI's contracts with your Company, contracts with Engage may succeed to WGSI's contract rights and obligations by reason of the transfer of the business, property and operations of the two companies through the merger or amalgamation. We are, however, requesting your Company's consent to assignment of all contracts in effect between your company and WGSI as of June 1, 1997, including those listed on the Schedule to the attached form of Consent. This will confirm that Engage will be carrying forward WGSI's contracts, along with the rest of its merchant business.

Please sign the Consent to indicate your approval and return one copy to WGSI via facsimile at 221-8640 and one original by mail to Janet Lokhorst.

To assure continuity and the ease of service previously you have received from CGM and WGSI, all addresses, payments, accounts, and nomination and operational contacts shall remain the same unless and until we further notify your company with specific changes.

If you have any questions regarding this letter or the Consent, please call Janet Lokhorst at (403) 297-1830.

We look forward to an exciting renewed relationship with your company!

Yours very truly,

Peter Leier
General Counsel and Corporate Secretary

Engage Energy Canada, L.P. 1100, 421 7th Ave. S.W., Calgary, Alberta, Canada T2P 4K9
Phone: (403) 297-0333 Fax: (403) 269-5909

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-004-97)

RECOMMENDATION:

That the attached listing of Appointments to and Terminations From Permanent positions with the Corporation to 1997 March 21 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Arthur Thomas	I	Lieutenant	Fire	Replacing Mr. A. Tapp – transferred, Aug. 14/95	$57,934.32	Dec. 01/96

Prepared March 21, 1997

Status –

Internal – I External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Josie D'Allessandro	Administrative Assistant II	Public Works & Traffic Services	Terminated	13 years, 4 months	Feb. 21/97
Ms. Linda Persichini	Box Office Supervisor	H.E.C.F.I.	Deceased	8 years, 4 months	Feb. 14/97

Prepared March 21, 1997

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

21 Head Street	625 Greenhill Avenue
221 Barton Street	14 Walnut Street North
540 Upper James Street	19 Rawlings Avenue
726 Main Street East	667 King Street East
73 Garfield Avenue South	1063 Barton Street East
647 King Street East	1632 Upper James Street
468 Cumberland Avenue	618 Parkdale Avenue North
321 King Street East	1837 Main Street West
320 King Street East	315 King Street East
216 Dundurn Street South	

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

WGG/mlr

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.97-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1997, A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	21 HEAD STREET	
	SERIAL NUMBER	01 01035 0370	
	BRIEF LEGAL DESCRIPTION	SURVEY A N MCNAB PT LOT 18	
	DATE OF REGISTRATION	13 AUGUST 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM232891	
	REDEMPTION DATE	13 AUGUST 1997	
	TOTAL ARREARS		$11,040.55
B)	PROPERTY ADDRESS	625 GREENHILL AVENUE	
	SERIAL NUMBER	05 05360 3200	
	BRIEF LEGAL DESCRIPTION	PLAN M3 PT LOT 71 W HR89	
	DATE OF REGISTRATION	30 APRIL 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT404475	
	REDEMPTION DATE	30 APRIL 1997	
	TOTAL ARREARS		$638,202.92
C)	PROPERTY ADDRESS	221 BARTON STREET EAST	
	SERIAL NUMBER	02 01820 7980	
	BRIEF LEGAL DESCRIPTION	PLAN 298 LOT 153 TO 154	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229926	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		$41,924.38
D)	PROPERTY ADDRESS	14 WALNUT STREET NORTH	
	SERIAL NUMBER	02 01535 2120	
	BRIEF LEGAL DESCRIPTION	PLAN 52 PT LOT 17,18,19,10	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229925	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		$41,619.09
E)	PROPERTY ADDRESS	540 UPPER JAMES	
	SERIAL NUMBER	08 09120 0370	
	BRIEF LEGAL DESCRIPTION	PLAN 279 PT LOT 10	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT408282	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		$34,036.72
F)	PROPERTY ADDRESS	19 RAWLINGS AVENUE	
	SERIAL NUMBER	07 06810 9447	
	BRIEF LEGAL DESCRIPTION	RP 62M442 LOT 163	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT4O6958	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		$26,109.41
G)	PROPERTY ADDRESS	726 MAIN STREET EAST	
	SERIAL NUMBER	03 02450 6660	
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1487 LOT 17	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229430	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		$27,698.92

H)	PROPERTY ADDRESS	667 KING STREET EAST
	SERIAL NUMBER	03 02120 0010
	BRIEF LEGAL DESCRIPTION	PLAN 43 LOT 1
	DATE OF REGISTRATION	24 MAY 1996
	INST # OF TAX ARREARS CERTIFICATE	VM229432
	REDEMPTION DATE	24 MAY 197
	TOTAL ARREARS	$9,687.72
I)	PROPERTY ADDRESS	73 GARFIELD AVENUE SOUTH
	SERIAL NUMBER	03 02615 2290
	BRIEF LEGAL DESCRIPTION	PLAN 302 LOT 35 TO 36 PT LOT 37
	DATE OF REGISTRATION	24 MAY 1996
	INST # OF TAX ARREARS CERTIFICATE	VM229434
	REDEMPTION DATE	24 MAY 1997
	TOTAL ARREARS	$79,315.33
J)	PROPERTY ADDRESS	1063 BARTON STREET EAST
	SERIAL NUMBER	04 02860 1620
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 5 ETC RP 562 LOTS 37,38
	DATE OF REGISTRATION	19 JUNE 1996
	INST # OF TAX ARREARS CERTIFICATE	VM230590
	REDEMPTION DATE	19 JUNE 1997
	TOTAL ARREARS	$201,739.64
K)	PROPERTY ADDRESS	647 KING STREET EAST
	SERIAL NUMBER	03 02120 0100
	BRIEF LEGAL DESCRIPTION	PLAN 32 PT LOT 3 PT LOT 4
	DATE OF REGISTRATION	19 JUNE 1996
	INST # OF TAX ARREARS CERTIFICATE	VM230587
	REDEMPTION DATE	19 JUNE 1997
	TOTAL ARREARS	$45,109.38
L)	PROPERTY ADDRESS	1632 UPPER JAMES STREET
	SERIAL NUMBER	08 11010 0040
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 5 GL HAM
	DATE OF REGISTRATION	19 JUNE 1996
	INST # OF TAX ARREARS CERTIFICATE	VM409707
	REDEMPTION DATE	19 JUNE 1997
	TOTAL ARREARS	$76,858.08
M)	PROPERTY ADDRESS	468 CUMBERLAND AVENUE
	SERIAL NUMBER	03 02510 1450
	BRIEF LEGAL DESCRIPTION	CON 3 PT LOT 7 BTN HAM
	DATE OF REGISTRATION	09 JULY 1996
	INST # OF TAX ARREARS CERTIFICATE	LT412207
	REDEMPTION DATE	09 JULY 1997
	TOTAL ARREARS	$49,080.29
N)	PROPERTY ADDRESS	618 PARKDALE AVENUE NORTH
	SERIAL NUMBER	05 04010 0280
	BRIEF LEGAL DESCRIPTION	CON BF PT LOT 32 SLT HAM
	DATE OF REGISTRATION	09 JULY 1996
	INST # OF TAX ARREARS CERTIFICATE	LT412206
	REDEMPTION DATE	09 JULY 1997
	TOTAL ARREARS	$46,711.55
O)	PROPERTY ADDRESS	321 KING STREET EAST
	SERIAL NUMBER	02 01810 3670
	BRIEF LEGAL DESCRIPTION	PLAN 214 PT LOT 2 PT LOT 3 PT LOT 4
	DATE OF REGISTRATION	13 AUGUST 1996
	INST # OF TAX ARREARS CERTIFICATE	VM232888
	REDEMPTION DATE	13 AUGUST 1997
	TOTAL ARREARS	$49,651.60

SCHEDULE "A"
EXTENSION AGREEMENTS – PAGE 3

P)	PROPERTY ADDRESS	1837 MAIN STREET WEST	
	SERIAL NUMBER	01 00110 8020	
	BRIEF LEGAL DESCRIPTION	PLAN 917 LOTS 8, 9, 10	
	DATE OF REGISTRATION	23 OCTOBER 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT424108	
	REDEMPTION DATE	23 OCTOBER 1997	
	TOTAL ARREARS		$73,386.22
Q)	PROPERTY ADDRESS	320 KING ST EAST	
	SERIAL NUMBER	02 01810 3460	
	BRIEF LEGAL DESCRIPTION	PLAN 357 PT LOT 3	
	DATE OF REGISTRATION	09 JANUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	VM327105	
	REDEMPTION DATE	09 JANUARY 1998	
	TOTAL ARREARS		$46,307.01
R)	PROPERTY ADDRESS	315 KING STREET EAST	
	SERIAL NUMBER	02 01810 3700	
	BRIEF LEGAL DESCRIPTION	PLAN 214 PT LOT 1 PT LOT 2 PT LOT 3	
	DATE OF REGISTRATION	15 JANUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	VM237264	
	REDEMPTION DATE	15 JANUARY 1998	
	TOTAL ARREARS		$49,915.84
(S)	PROPERTY ADDRESS	216 DUNDURN STREET SOUTH	
	SERIAL NUMBER	01 00915 2230	
	BRIEF LEGAL DESCRIPTION	PLAN 1434 PT LOT 10	
	DATE OF REGISTRATION	14 FEBBRUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	LT438222	
	REDEMPTION DATE	14 FEBRUARY 1998	
	TOTAL ARREARS		$59,915.90

E.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 March 27th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Chief Administrative Officer and Director of Property - 467 Charlton Avenue East (Sportsman's Lanes) - report dated 1997 March 4th

(b) Information Report - City Clerk - St. Elizabeth Villa Inquest Recommendations - report dated 1997 February 27th

(c) Correspondence - Conference Co-ordinator, Ministry of Municipal Affairs and Housing - Conference on Thursday, 1997 April 10th "Change: It's Here - It's Now" - letter dated 1997 March 4th

(d) Information Report - Acting Fire Chief - Requested Information Report respecting Bill 84 - The Fire Prevention and Protection Act - report dated 1997 March 7th

(e) Information Report - City Solicitor - Criminality of Lap Dancing - report dated March 13, 1997

(f) Correspondence - Rail Ways to the Future Committee - letter dated 1997 March 11th

(g) Correspondence - City of Toronto - Implications of Provincial Disentanglement Proposals - Technical Amendments - letter dated 1997 March 10th

(h) Correspondence - City of Toronto - Bill 84 - Fire Protection and Prevention Act, 1996 - letter dated 1997 March 6th

(i) Correspondence - Town of Belle River - 1997 Municipal Elections - letter dated 1997 February 28th

(j) Information Report - City Solicitor - Bill 122 - "An Act to reduce red tape by amending certain statutes administered by or affecting the Ministry of the Attorney General or the Ministry of the Solicitor General and by making complementary amendments to other statutes" - report dated 1997 March 11th

(k) Information Report - City Clerk - Bill 86 - Revised Municipal Elections Act - report dated 1997 March 26th

(l) Correspondence - Minister of Finance - response to the City Council resolution regarding the assessment of Jackson Square

Barbara K. Ryeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

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1997



Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL

FINANCE AND ADMINISTRATION COMMITTEE

APR 22 1997

Tuesday, 1997 April 22
1:30 o'clock p.m.
Room 233, City Hall

GOVERNMENT DOCUMENTS

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

DELEGATIONS

A. Hamilton Board of Education and Hamilton Wentworth Separate School Board - 1997 Mill Rate

(a) Report - City Treasurer - Approval of the 1997 Mill Rates and the Tax Levy By-laws

B. Hamilton Civic Hospitals Foundation and the Chedoke-McMaster Foundation - request to use the Hamilton Farmers' Market - Fundraising Gala for the Hamilton Health Sciences Corporation

(a) Report - City Clerk

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **REFERRALS FROM CITY COUNCIL**

(a) Correspondence - Hamilton Harbour Commissioners - Mr. Beattie's appointment

(i) Correspondence - City Solicitor to Harbours and Ports, Department of Transport

(b) Referred back - Appointments and Terminations Report

4. **CORRESPONDENCE**

(a) The Hamilton Mundialization Committee - request that Hamilton twin/mundialize with the City of Nazareth, Israel

(b) Hamilton Board of Education - Board of Education representative on the Hamilton Public Library Board

(c) Regional Health and Social Services Committee - Summer Hiring - Region & City

5. **TREASURER**

(a) Business Improvement Area By-laws

(b) 1997 Property Tax Information - Tax Bills and Information Brochure

6. **GRANTS CO-ORDINATOR**

Outstanding payment for the 1996 grant to the Greek Festival

7. **CITY SOLICITOR**

Young Family Cemetery

8. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

(a) Declaration of Surplus Properties: 36 Newlands Avenue (Car Park #4B); 56 Kenilworth Avenue North (Car Park #30); 1368 Barton Street East (Car Park #58). - tabled from 1997 April 1st meeting

(b) Offer to Purchase - Sale of City Property (Tax Sale), 467 Charlton Avenue East to Ron Van Fleef for operation of taxi business

(c) Lease - Canadian Football Hall of Fame Building to Canadian Super Party Inc. Space Formerly occupied by Press Club

(d) Offer to Purchase (Tender) - Sale of City property - 92 Stone Church Road East to Teresa Zampini

(e) Offer to Purchase (Tender) - Sale of City property - 88 Stone Church Road East to Mark Pillinini

(f) Offer to Purchase - Sale of City lands being Part of 6 Cascade Street, Hamilton to 2871220 Canada Limited (Home Depot)

9. **ACTING FIRE CHIEF**

Requested report - Concerns of the Hamilton Professional Fire Fighters Association respecting the Night/Evening Home Inspection Program

10. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

Fleet Management Information System

11. **OTHER BUSINESS**

12. **ADJOURNMENT**

CITY OF HAMILTON

- RECOMMENDATION -

A. (a.)

DATE: 1997 April 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Approval of the 1997 Mill Rates and the Tax Levy By-Laws**

RECOMMENDATION:

a) That the 1997 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed on the attached Exhibit "A", Column (6); and,

b) That the attached by-laws to fix the rates of taxation for Municipal, Regional, School, and total rates of taxation for the year 1997 be approved; and,

c) That the attached by-law to levy an annual tax on telephone companies doing business in Ontario be approved.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total residential mill rates for 1997 increased 0.89% over 1996, resulting in a homeowner whose property assessment is $5,000 paying $2,119.26 in taxes, or an increase of $18.62. Further details are included in the Background and Exhibits "A"-"E".

BACKGROUND:

The following paragraphs highlight the components of the 1997 Mill Rates.

City Purposes

The revenue and expenditure estimates for the City of Hamilton as summarized on the attached Exhibit "B" were approved by City Council on March 3, 1997. This exhibit summarizes the 1997 Taxation Requirement, which indicates **a 0.00% increase in the City of Hamilton mill rate for 1997.**

Region Purposes

The 1997 requisition from the Region, was approved by Regional Council on April 1, 1997 and is summarized on Exhibit "C". After accounting for the underlevy from the previous year and reducing their requirement by the shared revenues, **the increase in the 1997 mill rate for Regional purposes amounts to 0.66% over 1996.** This is comprised of a 1.50% increase in the general levy, a 1.50% increase in Storm Sewer Levy, and a 8.74% decrease in the Transit Levy. The City's share percentage of the Regional net general levy for 1997 is 68.11% compared to 70.28% in 1996, a decrease of 3.09%. This reduction is partially attributed to the change in the upper tier discount factor (used in the apportionment calculation) which was approved by Regional Council in 1996.

Educational Purposes

Exhibit "D" shows the comparison of levies and mill rates for the Hamilton Board of Education for 1996 to 1997, **which results in an increase of 1.47% over 1996.**

Staff of the Hamilton-Wentworth Roman Catholic Separate School Board have indicated that their budget will not be approved until the evening of April 22. They have advised that it is proposed that the Hamilton-Wentworth Roman Catholic Separate School Board match mill rates with the Hamilton Board of Education, and this levy report has been prepared on that basis. A report will be provided prior to the City Council meeting of April 29, 1997, if this does not occur.

Attached are the following:

Exhibit "A" - A comparison of Mill Rates from 1993 to 1997 for both Residential and Non-Residential Mills.

Exhibit "B" - A Summary of the 1997 Taxation Requirement for the City of Hamilton.

Exhibit "C" - A comparison of the 1996 to 1997 Levies, Shared Revenues and Mill Rates for the Regional Municipality of Hamilton-Wentworth.

BACKGROUND: - Continued

Exhibit "D"	-	A comparison of the 1996 to 1997 Levies and Mill Rates for the Board of Education for the City of Hamilton.
Exhibit "E"	-	A comparison of Components and Total Residential Mill Rates on an Assessment of $5,000 from 1993 to 1997.
By-Law No. 97-	-	To fix the Rates of Taxation for Municipal Purposes for the Year 1997.
By-Law No. 97-	-	To fix the Rates of Taxation for Regional Purposes for the Year 1997.
By-Law No. 97-	-	To fix the Rates of Taxation for School Purposes for the Year 1997.
By-Law No. 97-	-	To fix the Total Rates for Municipal, Regional and School Purposes for the year 1997.
By-Law No. 97-	-	An Annual Tax on Telephone Companies doing Business in Ontario.

CK:jc
Attachments

City of Hamilton
Treasury

EXHIBIT "A"

COMPARISON OF COMPONENTS AND TOTAL MILL RATES FOR THE YEARS 1993 TO 1997 INCLUSIVE

Description (1)	1993 (2)	1994 (3)	1995 (4)	1996 (5)	1997 (6)	Increase + Decrease – 1996 to 1997 Mills (7)	% (8)
Residential							
City	104.2203	104.2203	105.1413	105.1413	105.1413	0.0000 +	0.00 +
Region	107.0004	106.9719	110.1432	111.3252	112.0642	0.7390 +	0.66 +
Sub Total	211.2207	211.1922	215.2845	216.4665	217.2055	0.7390 +	0.34 +
Education – Elementary	117.3363	113.1485	120.0501	120.5303	141.4554	20.9251 +	17.36 +
– Secondary	72.8626	77.0493	77.3765	83.1289	65.1902	17.9387 –	21.58 –
Sub Total	190.1989	190.1978	197.4266	203.6592	206.6456	2.9864 +	1.47 +
Total Mill Rates	401.4196	401.3900	412.7111	420.1257	423.8511	3.7254 +	0.89 +
Non–Residential							
City	122.6121	122.6121	123.6957	123.6957	123.6957	0.0000 +	0.00 +
Region	125.8828	125.8493	129.5803	130.9709	131.8402	0.8693 +	0.66 +
Sub Total	248.4949	248.4614	253.2760	254.6666	255.5359	0.8693 +	0.34 +
Education – Elementary	138.0427	133.1159	141.2354	141.8004	166.4181	24.6177 +	17.36 +
– Secondary	85.7207	90.6462	91.0312	97.7987	76.6943	21.1044 –	21.58 –
Sub Total	223.7634	223.7621	232.2666	239.5991	243.1124	3.5133 +	1.47 +
Total Mill Rates	472.2583	472.2235	485.5426	494.2657	498.6483	4.3826 +	0.89 +

Note: The 1997 mill rates were calculated based on the 1996 unrevised assessment for 1997 taxation.

EXHIBIT "B"

THE CORPORATION OF THE CITY OF HAMILTON

SUMMARY OF THE 1997 TAXATION REQUIREMENT

DESCRIPTION (1)	1996 ESTIMATE (2)	1997 ESTIMATE (3)	CHANGE OVER 1996 ESTIMATE AMOUNT (4)	CHANGE OVER 1996 ESTIMATE PERCENT (5)
A. Summary of City Requirements Only				
Expenditures	164,330,830	162,288,650	(2,042,180)	−1.24%
Revenues	164,330,830	162,288,650	(2,042,180)	−1.24%
Additional Tax Requirement for 1997	0	0	0	
Summary of 1997 Total Levy				
1. 1996 Levy	113,432,820	113,432,820		
2. Levy decrease – .40% Assessment decrease		(598,230)	(598,230)	
3. Additional Tax Requirement as outlined above		0	0	
Total 1997 Levy	113,432,820	112,834,590	(598,230)	−0.53%
B. Total Mill Rate Comparisons	1996 MILL RATES	1997 MILL RATES		
Residential :				
City	105.1413	105.1413	0.0000	0.00%
Non−Residential :				
City	123.6957	123.6957	0.0000	0.00%

NOTE: One Residential Mill for 1997 is estimated at $1,073,171

A 1% increase in the Residential Mill Rate for 1997 is estimated at $1,128,346

17−Apr−97

EXHIBIT "C"
(REGION)

THE CORPORATION OF THE CITY OF HAMILTON

COMPARISON OF THE 1996 TO 1997 LEVIES, SHARED REVENUES AND MILL RATES FOR THE REGIONAL MUNICIPALITY OF HAMILTON–WENTWORTH

Description (1)	1996 $/Mills (2)	1997 $/Mills (3)	Increase +/Decrease – 1996 to 1997 $/Mills (4)	% (5)
Net General Levy based on Equalized Assessment	94,596,707	96,236,543	1,639,836 +	1.73 +
Solid Waste Levy	8,287,548	8,195,854	91,694 –	1.11 –
Total General Levy	102,884,255	104,432,397	1,548,142 +	1.50 +
Add: Area rated charges – Storm Sewer	8,370,570	8,496,370	125,800 +	1.50 +
– Transit	18,406,600	16,798,290	1,608,310 –	8.74 –
Total Levy	129,661,425	129,727,057	65,632 +	0.05 +
Add: Underlevy from the previous year	73,650	96,554	22,904 +	31.10 +
Less: Shared Revenues:				
Payment in Lieu of Taxes	6,955,080	6,865,580	89,500 –	1.29 –
Telephone and Telegraph	1,754,090	1,766,720	12,630 +	0.72 +
McMaster University	520,010	524,570	4,560 +	0.88 +
Mohawk College	263,460	264,330	870 +	0.33 +
Hospitals	121,450	122,000	550 +	0.45 +
Correctional Institutions	16,580	16,400	180 –	1.09 –
	9,630,670	9,559,600	71,070 –	0.74 –
Balance on which Mill Rates are calculated	120,104,405	120,264,011	159,606 +	0.13 +
Mill Rates				
Residential	111.3252	112.0642	0.7390 +	0.66 +
Non–Residential	130.9709	131.8402	0.8693 +	0.66 +

EXHIBIT "D"
(EDUCATION)

THE CORPORATION OF THE CITY OF HAMILTON

COMPARISON OF THE 1996 TO 1997 LEVIES AND MILL RATES FOR THE BOARD OF EDUCATION FOR THE CITY OF HAMILTON

Description (1)	1996 $/Mills (2)	1997 $/Mills (3)	Increase +/Decrease – 1996 to 1997 $/Mills (4)	% (5)
Elementary Panel				
Levy Requirement approved by the Board of Education	95,323,999	111,369,553	16,045,554 +	16.83 +
Add: Underlevy from the previous year	121,177	83,581	37,596 –	31.03 –
Total Levy	95,445,176	111,453,134	16,007,958 +	16.77 +
Mill Rates (elementary) – Residential	120.5303	141.4554	20.9251 +	17.36 +
– Non–Residential	141.8004	166.4181	24.6177 +	17.36 +
Secondary Panel				
Levy Requirement approved by the Board of Education	65,749,683	51,305,902	14,443,781 –	21.97 –
Add: Underlevy from the previous year	78,103	57,645	20,458 –	26.19 –
Total Levy	65,827,786	51,363,547	14,464,239 –	21.97 –
Mill Rates (secondary) – Residential	83.1289	65.1902	17.9387 –	21.58 –
– Non–Residential	97.7987	76.6943	21.1044 –	21.58 –
Total Mill Rates				
Residential	203.6592	206.6456	2.9864 +	1.47 +
Non–Residential	239.5991	243.1124	3.5133 +	1.47 +

Note: As in past years, the Hamilton–Wentworth Separate School Board has passed a motion to match the mill rates (both residential and non–residential) with the rates approved by the Board of Education for the City of Hamilton, as outlined above.

EXHIBIT "E"

THE CORPORATION OF THE CITY OF HAMILTON

COMPARISON OF COMPONENTS AND TOTAL RESIDENTIAL MILL RATES AND RESIDENTIAL REALTY TAXES ON AN ASSESSMENT OF $5,000

(for the years 1993 to 1997 inclusive)

Description	Mill Rates					Increase (Decrease) 1996 to 1997	
	1993	1994	1995	1996	1997	Mills/$	%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Residential							
City	104.2203	104.2203	105.1413	105.1413	105.1413	0.0000	0.00%
Region	107.0004	106.9719	110.1432	111.3252	112.0642	0.7390	0.66%
Sub Total	211.2207	211.1922	215.2845	216.4665	217.2055	0.7390	0.34%
Education	190.1989	190.1978	197.4266	203.6592	206.6456	2.9864	1.47%
Total Residential Mill Rates	401.4196	401.3900	412.7111	420.1257	423.8511	3.7254	0.89%
% Increase over prior year	2.35%	−0.01%	2.82%	1.80%	0.89%		
Realty Taxes Based on an Assessment of $5,000 (excluding Regional water and sewer surcharge)							
City Realty Taxes	$521.11	$521.11	$525.71	$525.71	$525.71	$0.00	0.00%
Region Realty Taxes	$535.00	$534.86	$550.72	$556.63	$560.32	$3.70	0.66%
Total City and Region	$1,056.11	$1,055.97	$1,076.43	$1,082.34	$1,086.03	$3.69	0.34%
Education Realty Taxes	$950.99	$950.99	$987.13	$1,018.30	$1,033.23	$14.93	1.47%
Total Amount Payable	$2,007.10	$2,006.96	$2,063.56	$2,100.64	$2,119.26	$18.62	0.89%

17−Apr−97

Bill NO.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE RATES OF TAXATION FOR MUNICIPAL PURPOSES FOR THE YEAR 1997

WHEREAS the Estimates for the year 1997 which set forth the revenues and expenditures of the Corporation of the City of Hamilton, were approved by the Council of the Corporation of the City of Hamilton on March 3, 1997 and

WHEREAS it is necessary to impose rates of taxation for the year 1997,

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows:

1. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of $1,003,603,219.00, of which $609,386,915.00 is Residential assessment and $394,216,304.00 is Non-residential assessment, the following rates of taxation:

(1) For general municipal purposes 123.6957 mills producing	$124,141,400.00
(2) The amount to be levied and raised against "residential" assessments in the amount of $609,386,915.00 as required by the Municipal Act shall be reduced by $11,306,810.00 or 18.5544 mills in accordance with Section 9(3a) of the Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38 . .	$ 11,306,810.00
	$112,834,590.00

2. The rate to be levied against "residential" assessments as required by the Municipal Act for Municipal purposes is 105.1413 mills on the dollar.

3. The rate to be levied against "non-residential" assessments as required by the Municipal Act for Municipal purposes is 123.6957 mills on the dollar.

4. This by-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

Bill NO.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1997

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to the Corporation of the City of Hamilton for $129,727,057.00 representing the Corporation of the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1997.

WHEREAS after the deduction of $9,559,600.00 of 1997 estimated shared revenues, the funds for which have been provided in the Corporation of the City of Hamilton 1997 Estimates, and the addition of the 1996 underlevy in the amount of $96,554.00, it is intended to levy against the ratepayers of the Corporation of the City of Hamilton the resulting net amount of $120,264,010.00 for the year 1997.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1997 levy, in the amount of $129,727,057.00 is hereby adopted as part of the 1997 Estimates of the Corporation of the City of Hamilton.

2. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of $1,003,603,219.00 of which $609,386,915.00 is Residential assessment and $394,216,304.00 is Non-residential assessment, the following rates of taxation:

(1) for Regional purposes 131.8402 mills producing	$132,315,250.00
(2) the amount to be levied and raised against "residential" assessments in the amount of $609,386,915.00 as required by the Municipal Act shall be reduced by $12,051,240.00 or 19.7760 mills in accordance with Section 9(3a) of the Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38	$ 12,051,240.00
	$120,264,010.00

(3) the rate to be levied against "residential" assessments as required by the Municipal Act for Regional purposes is 112.0642 mills on the dollar

(4) the rate to be levied against "non-residential" assessments as required by the Municipal Act for Regional purposes is 131.8402 mills on the dollar

3. this by-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

BILL NO.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1997

WHEREAS the estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for school purposes, have been submitted to the Finance and Administration Committee of the Corporation of the City of Hamilton.

WHEREAS it is necessary to impose rates of taxation for the year 1997 for school purposes.

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows,

1. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of $1,003,603,219.00, of which $609,386,915.00 is Residential assessment and $394,216,304.00 is Non-residential assessment, the following rates of taxation,

(a) for Public School elementary purposes 166.4181 mills on all rateable property in the amount of $735,043,520.00, of which $435,505,670.00 is Residential assessment and $299,537,850.00 is Non-residential assessment, liable for Public School rates as requested to be levied by the Board of Education for the City of Hamilton producing $122,324,540.00

(b) for Separate School elementary purposes 166.4181 mills on all rateable property in the amount of $268,559,699.00, of which $173,881,245.00 is Residential assessment and $94,678,454.00 is Non-residential assessment, liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing 44,693,200.00

(c) for Public School secondary purposes 76.6943 mills on all rateable property in the amount of $735,043,520.00 of which $435,505,670.00 is Residential assessment and $299,537,850.00 is Non-residential assessment, liable for Secondary School rates as requested to be levied by the Board of Education for the City of Hamilton producing 56,373,650.00

(d) for Separate School Secondary purposes 76.6943 mills on all rateable property in the amount of $268,559,699.00 of which $173,881,245.00 is Residential assessment and $94,678,454.00 is Non-residential assessment liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing	20,597,000.00
	$243,988,410.00
(e) The amount to be levied and raised against "residential" assessments in the amount of $435,505,670.00 determined as required by the Municipal Act shall be reduced by $10,871,400.00 or 21.2701 mills which is the amount of the estimated revenue from payments to be received by the Board of Education for the City of Hamilton in 1997 for elementary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	$ (10,871,400.00)
(f) The amount to be levied and raised against "residential" assessments in the amount of $173,881,245.00 as required by the Municipal Act shall be reduced by $4,340,550.00 or 24.9627 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1997 for elementary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	(4,340,550.00)
(g) The amount to be levied and raised against "residential" assessments in the amount of $435,505,670.00 determined as required by the Municipal Act shall be reduced by $5,010,100.00 or 11.5041 mills which is the amount of the estimated revenue from payments to be received by the Board of Education for the City of Hamilton in 1997 for secondary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	(5,010,100.00)
(h) The amount to be levied and raised against "residential" assessments in the amount of $173,881,245.00 determined as required by the Municipal Act shall be reduced by $2,000,350.00 or 11.5041 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1997 for secondary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	(2,000,350.00)
	$221,765,990.00

2. The Education rate to be levied against "residential" assessments as required by the Municipal Act for:

(a) Public School supporters is 206.6456 mills on the dollar, and

(b) Separate School supporters is 206.6456 mills on the dollar.

3. The Education rate to be levied against "non-residential" assessments as required by the Municipal Act for:

(a) Public School supporters is 243.1124 mills on the dollar, and

(b) Separate School supporters is 243.1124 mills on the dollar.

4. The By-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK

MAYOR

BILL NO.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE TOTAL RATES OF TAXATION FOR MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1997

WHEREAS the Council of the Corporation of the City of Hamilton has approved By-laws 97- , 97- and 97- being By-laws to impose rates of taxation for the year 1997 for:

(a) Municipal purposes

(b) Regional purposes

(c) Education purposes

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments as required by the Municipal Act:

   (a) by Public School supporters is 423.8511 on the dollar, and

   (b) by Separate School supporters is 423.8511 on the dollar.

2. The total rate to be levied against "non-residential" assessments as required by the Municipal Act:

   (a) by Public School supporters is 498.6483 on the dollar, and

   (b) by Separate School supporters is 498.6483 on the dollar.

3. This By-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

BILL NO.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Levy:

AN ANNUAL TAX ON TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA

WHEREAS Section 159 of the Municipal Act, R.S.O. 1990, Chap. M.45, empowers the Council of the Corporation of the City of Hamilton to levy on every telephone company doing business in the City of Hamilton an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of the City of Hamilton is in the amount of $128,277,436.00 the year ended the 31st day of December, 1996;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1997, be levied on the Bell Telephone Company of Canada Limited in the amount of $6,413,871.80.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section . . . 382 of the Municipal Act on all the lands of the Bell Telephone Company of . . . . . Canada.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

3. (a.)

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Referral of correspondence -
Hamilton Harbour Commissioners -
Mr. Beattie's appointment

DATE: 1997 April 9

Attached herewith is correspondence received from Mr. R. Scott Smith, Secretary of the Board of Commissioners of The Hamilton Harbour Commissioners dated 1997 April 4th respecting the extension of Mr. Beattie's appointment.

Please be advised that this correspondence was presented to City Council at its meeting held Tuesday, 1997 April 8th, and subsequently referred to the Finance and Administration Committee.

Would you please ensure that this correspondence is presented to the Finance and Administration Committee for its consideration.

Attachment

cc P. Noe Johnson, City Solicitor

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554

April 4, 1997

VIA FACSIMILE 546-2095

The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attn: Mr. J. Schatz
City Clerk

Dear Mr. Schatz;

Thank you for your March 27, 1997 letter respecting Council's actions following the expiry of Mr. Beattie's appointment to the Hamilton Harbour Commissioners. Unfortunately, the extension of Mr. Beattie's appointment is invalid.

The appointment of a Commissioner by the City of Hamilton must be made in compliance with the Hamilton Harbour Commissioners Act. The Act provides for the appointment, or re-appointment as the case may be, of a Commissioner for a term of three (3) years, and until his successor is appointed(S.6.3). There is no provision in the Act which allows for the extension of a Commissioner's term. Consequently, we are of the opinion that the "extension" of Mr. Beattie's appointment is of no force or effect.

We trust that the foregoing is of some assistance and when read with the comments contained in our March 10, 1997 correspondence(copy attached), will assist in our mutual and ongoing efforts of cooperation.

Yours Truly,
THE HAMILTON HARBOUR COMMISSIONERS

R. Scott Smith
Secretary to the Board of Commissioners

cc. Chairman P.J. Dillon
Commissioner D.M. Beattie
Ms. Judith Scott, Senior Advisor, Harbours and Ports

3. (a.) (i)

Law Department

71 Main Street West, Hamilton, Ont
Tel. (905) 546-4634 / Fax (905) 546-

1997 April 9th

Ms. Judith Scott
Senior Advisor of Harbour Commissions
Harbours and Ports
Department of Transport
330 Sparks Street
Tower C, 23rd Floor
Ottawa, Ontario
K1A 0N5

SENT VIA FAX - 613-954-0838

Dear Ms. Scott:

Following for your information is a copy of Section 1 of the Fifth Report for 1997 of the Finance and Administration Committee, adopted by Hamilton City Council at its meeting held March 25th, 1997, dealing with the extension of Mr. Beattie's appointment as a Hamilton Harbour Commissioner.

> "That the current term of office of the City's appointee to the Hamilton Harbour Commission, Duncan Beattie, be extended until 1997 September 1."

Mr. Beattie has served as the City of Hamilton's appointee on the Hamilton Harbour Commission for several consecutive terms. With the knowledge that his last term was nearing expiry, and understanding the state of flux that Harbour Commissions are currently experiencing with the new Federal National Marine Policy and The Canada Marine Act debate, Mr. Beattie made City Council aware of his willingness to serve again, but for a limited time. With this information, City Council concurred in the resolution referenced above and has delayed the public advertisement for nominations to coincide with Mr. Beattie's resignation.

Recent correspondence from R. Scott Smith, Secretary to the Hamilton Harbour Commissioners has brought the effectiveness of our appointment into question. He has characterized it as "of no force or effect". The Act clearly states that each City appointment shall be a three year term subject to removal or resignation. It is the City's position that our appointment is in keeping with the legislation.

We seek your comments on City Council's appointment which de facto extends Mr. Beattie's term to September 1, 1997, with the balance to be filled by another yet named.
Would you accept the extension of Mr. Beattie's appointment or would you find the appointment to be ineffective and the extension rather a result of Section 6(3)?
We understand that s. 8 of the Act allows, but does not require, the Federal Government, by the Governor in Council, to fill the vacancy after 30 days of the term expiry.

We ask your co-operation to allow the City to proceed with the process of effecting a new appointment effective September 1, 1997. If you advise that it would be the intention of the Governor in Council to act pursuant to Section 8, the City would like your indulgence to provide whatever documentation necessary to support our appointee.

Your response, as well as an update on the passage of The Canada Marine Act, which we understand is again on the floor of the House, would be appreciated. Please feel free to call or fax. Thank you.

Yours very truly,

P. Noé Johnson
City Solicitor

cc J. J. Schatz
City Clerk

3. (b.)

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee	YOUR FILE:	
FROM:	Mr. J. J. Schatz City Clerk Office of the City Clerk	OUR FILE: PHONE:	 546-2727
SUBJECT:	Referral back - Appointments and Terminations Report	DATE:	1997 April 9

Please be advised that City Council at its meeting held Tuesday, 1997 April 8th, agreed to refer back Section 4 of the Seventh Report for 1997 of the Finance and Administration Committee as follows:

> "4. That the listing of Appointments to and Terminations from Permanent positions with the Corporation of the City of Hamilton to 1997 March 21, attached herewith and marked Appendix "A", be approved."

Attached herewith for your reference is a copy of the above noted report.

Would you please ensure that this matter is presented to the Finance and Administration Committee.

JJS/SKR

Attachment

cc J. Pavelka, Chief Administrative Officer
J. Johnston, Commissioner of Human Resources

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-004-97)

RECOMMENDATION:

That the attached listing of Appointments to and Terminations From Permanent positions with the Corporation to 1997 March 21 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

App'd by Committee 1997 April 1
Referred back.
App'd by Council 1997 April 8.

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Arthur Thomas	I	Lieutenant	Fire	Replacing Mr. A. Tapp – transferred, Aug. 14/95	$57,934.32	Dec. 01/96

Prepared March 21, 1997

Status –

Internal – I External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Josie D'Allessandro	Administrative Assistant II	Public Works & Traffic Services	Terminated	13 years, 4 months	Feb. 21/97
Ms. Linda Persichini	Box Office Supervisor	H.E.C.F.I.	Deceased	8 years, 4 months	Feb. 14/97

Prepared March 21, 1997

Glossary of Terms

Terminated – long term disability – discharge – downsizing – redundant	Resigned – personal betterment – personal reasons

In support of the
Hamilton General / Henderson General Hospitals

B.

Hamilton
Civic
Hospitals
Foundation

237 Barton Street East
Hamilton, Ontario
L8L 2X2
Tel: 905-522-3863
Fax: 905-577-8025

Charitable Registration
No 0179978-19-14

April 14, 1997

Ms Susan Reeder, Secretary
Finance and Administration Committee
City of Hamilton
71 Main Street East
Hamilton, ON
L8N 3T4

Dear Ms Reeder:

The Hamilton Civic Hospitals Foundation and the Chedoke-McMaster Foundation hosted a very successful gala last fall raising more than $90,000 for equipment at the Hamilton Health Sciences Corporation. This year we plan to host a unique and very special event, and I would like to request the use of the Hamilton Market as the venue.

We would like to use the market from 5pm to 2pm on Saturday September 20 for a fundraising event. Our plan is to work in co-operation with the vendors at the market to create a wandering buffet. We plan to bring in chefs to prepare specialty items using the market stall owners as our food suppliers. Local Ontario wineries will be approached to set up wine bars for sampling. There will be music, entertainment and dancing. I have met with Stephanie Miller, the manager of the market and members of the stall holders association. They are interested in hosting this event. It will be an innovative way to promote the market as it celebrates its 160th anniversary, generate revenue from off hours rental and it will also be an excellent way for the market and the city to partner with the Hamilton Health Sciences Corporation in support of health care.

Anna McCusker, of Decor and More has been retained to develop our theme and provide the staff and logistics for setting up and tearing down. She has done special events in other Ontario markets and will return the stalls to their original condition before the next market day. Both Decor and More and the Hamilton Health Sciences Corporation carry insurance for special events and would apply for all necessary permits and licences required. I have enclosed a proposal for the event and through Stan Hollowell, have advised the fire department and the board of health about this event.

A gala committee, chaired by Margaret Szarka, has been formed in order to begin marketing this event. There are a number of corporations interested in sponsoring this event. I would like this request to be brought forward to the Finance and Administration committee for consideration at the April 22 meeting.If you have any questions, please call me at 522-3863.

Sincerely yours,

Noel Robb

Noel Robb, (Mrs.) APR
Manager, Marketing and Communications

Harvest Moon Gala

On Saturday September 20th 1997 the Hamilton Health Sciences Corporation plans to present the Harvest Moon Gala in the Hamilton Market.

Guests will enter from the York Street entrance and proceed up the ramp to the cocktail area where a mini marche will be set up. Marche, means marketplace, and our guests will walk among the market stalls and sample hors'doevres prepared by local chefs in co-operation with our market stall vendors. Here, through the use of colourful potted plants, and pails of fresh flowers, a casual cocktail party will take place.

Strolling musicians will entertain as overhead kites or hot air balloons will soar in the autumn breezes to give the indoors, the illusion of an outdoor market place.

With a great deal of fanfare, the music will pick up and the drapes at the escalators will be permanently pulled by by the performers to allow our 600 guests to catch the first glimpse of the lower level and the magical surroundings that it offers.

Guests will dine "al fresco" (meaning casually, outdoors on the patio) enjoying beautiful tablescapes, lighting, upscale room enhancement topiary trees and street lamps creating a wonderful crisp autumnal environment.

The main course will be catered and served using the freshest ingredients the market can offer, with wines from our own Niagara Peninsula.

An orchestra will play throughout the evening for the dancing pleasure of our guests. At the end of the evening, one lucky guest will win an opportunity to dine "al fresco" again, in Paris.

Tickets are $150 per person and corporate tables of eight are available for $2,000.

B. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Hamilton Civic Hospitals & Chedoke-McMaster Foundations - Request to use Hamilton Farmers' Market

RECOMMENDATION:

(a) That approval be granted to the Hamilton Civic Hospitals & Chedoke-McMaster Foundations to use the Hamilton Farmers' Market on Saturday, September 20, 1997 to host a Charity Fund Raising Gala in support of equipment for the Hamilton Health Sciences Corporation; and

(b) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations provide proof of insurance in the amount of $5 million naming the City of Hamilton as an insured and further that this insurance carry a Host Liquor Liability Endorsement; and

(c) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be permitted to serve liquor and wine at their event and that it be their responsibility to apply to the Ontario Liquor Control Board for the required liquor and wine permits; and

(d) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required to comply with all applicable Provincial and Municipal regulations with respect to building, fire and health considerations associated with the hosting of their event; and

(e) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required, at their own expense, to return the Hamilton Farmers' Market to its original condition prior to their event and further that they be required to satisfy all reasonable requests of the Hamilton Farmers' Market Stallholders Association with respect to protection of stallholder assets during their event.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be no cost to the City of Hamilton associated with this event.

BACKGROUND:

This event has the full support of the Hamilton Farmers' Market Stallholders Association. All food and flowers required for this event will be purchased exclusively from the stallholders. The Law Department has provided the advise with respect to the required insurance coverage. The Fire and Health Departments have been requested to review the event proposal and reply with respect to compliance with applicable Provincial and Municipal regulations.

This event will compliment plans which are being developed to celebrate the 160th. Anniversary of the Hamilton Farmers' Market this year. The event will also assist with raising the profile of the Hamilton Farmers' Market which is an integral part of Downtown Hamilton.

cc. P. Noe Johnson, City Solicitor
D. Vyce, Director of Property - Attention: R. Swan

The Hamilton Mundialization Committee
c/o The Office of the Mayor,
Hamilton City Hall, 71 Main Street West,
Hamilton, Ontario, L8N 3T4

4.

April 9, 1997

will L - to ITA committee

Mayor R. Morrow
City Hall
71 Main Street West
Hamilton, Ontario

Dear Mayor Morrow:

This is to inform you that the proposal you made on April 2, 1997 to have Hamilton twin with a city in Israel has been endorsed by our committee.

Please advise City Council that the Hamilton Mundialization Committee recommends that Hamilton twin/mundialize with the City of Nazareth, Israel.

Thank you.

Yours very truly,

C. Fernandes.

Mrs. C. Fernandes
President

CF/lt

The Board of Education for the City of Hamilton
Le Conseil de l'éducation de la ville de Hamilton

100 Main Street West
Hamilton, Ontario
Telephone (905) 527-5092
Fax (905) 521-2539

100, rue Main Ouest
Hamilton (Ontario)
Téléphone (905) 527-5092
Fac-similé (905) 521-2539

Director of Education & Secretary

Directeur de l'éducation et secrétaire

OFFICE OF THE CITY CLERK

1997 04 03

4 (b.)

J. J. Schatz, City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear J. J. Schatz:

Re: Board of Education representative - Hamilton Public Library Board

Thank you for your letter of 1997 03 18 requesting a list of nominees for appointment as School Board representatives to the Hamilton Public Library Board, as per the resolution adopted by City Council.

We were actually advised of this resolution in November, 1996. At that time, the Chairman of the Board, Robert Stewart, wrote to the Mayor questioning this direction. In asking for some explanation, he indicated that the Hamilton Board would proceed to determine its representative through the usual procedures. A copy of this letter is enclosed.

As a result of an advertisement in the Hamilton Spectator for interested citizens to serve on the Library Board, we received one application. Mr. Mark S. Davies was subsequently interviewed by a small Committee of trustees. They were most pleased with Mr. Davies' application and interest and subsequently forwarded his name to the Board for approval.

I would offer that, having received only one application in response to the most recent advertisement, the Board does not have a "list of nominees" to submit. However, the issue remains - the Chairman of the Board questioned the directive that removed the direct choice of this Board as to who would be its representatives on the Library Board.

Mr. Davies called my office last week and indicated that he has not been contacted by either the City nor the Library Board since receiving confirmation of this Board's appointment. I would hope that this 'procedural' dilemma does not unduly delay the ratification of his appointment and that he will be able to serve on the Library Board as soon as possible.

Yours truly,

Merv Matier
Interim Director of Education
and Secretary

Mailing Address
P.O. Box 2558
Hamilton, Ontario
L8N 3L1

Adresse postale
C.P. 2558
Hamilton (Ontario)
L8N 3L1

The Board of Education for the City of Hamilton
Le Conseil de l'éducation de la ville de Hamilton

100 Main Street West
Hamilton, Ontario
Telephone (905) 527-5092
Fax (905) 521-2539

100, rue Main Ouest
Hamilton (Ontario)
Téléphone (905) 527-5092
Fac-similé (905) 521-2539

Chairman of the Board

Président(e) du Conseil

1996 11 14

His Worship Mayor Robert Morrow
The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mayor Morrow:

It has come to my attention that City Council adopted a resolution that asks us to provide a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board. The City will then make a selection from the list as submitted.

This sudden change in procedure seems rather curious and I would respectfully request some explanation or rationale as to this direction. The Hamilton Board of Education has traditionally forwarded to the City Clerk the names of its two appointees following a rather formal process of advertising in the Hamilton Spectator, processing the applications, conducting interviews and presenting two names to the Board for approval.

It should be noted that the letter to our Director regarding the above resolution concluded with the information that one of our representatives - Ram Kamath - had resigned from the Library Board. Again, Mr. Kamath is this Board's representative and I would have expected a more formal notification of his resignation. There was no indication as to the effective date of the resignation.

Thank you for looking into this matter. Since we are in the position of having to replace Mr. Kamath, I would respectfully ask that you convey these concerns to City Council. We will be pleased to determine our replacement representative through our usual procedures and submit our recommendation to the City in due course.

Sincerely,

Robert Stewart
Chairman

c. D. W. Goodridge, Director of Education and Secretary

Mailing Address
P.O. Box 2558
Hamilton, Ontario
L8N 3L1

Adresse postale
C.P. 2558
Hamilton (Ontario)
L8N 3L1

Office of the City Clerk

City of HAMILTON

71 Main Street West, Hamilton, Ontario, L8N 3T4
Tel. (905) 546-2700 / Fax (905) 546-2095

1997 March 18

Mr. Merv Matier
Director of Education and Secretary
The Board of Education for the City of Hamilton
100 Main Street West
P. O. Box 2558
Hamilton, Ontario
L8N 3L1

Dear Mr. Matier:

Re: Board of Education representative - Hamilton Public Library Board

This will acknowledge receipt of your letter dated 1997 February 21st in which you advise of the motion approved by the Board of Education to submit the name of Mr. Mark S. Davies as the Board's representative on the Hamilton Public Library Board to fill the remainder of a three year term of office ending 1997 November 30th, as a result of the resignation of one of the Board's representatives.

I would bring to your attention that City Council, as the appointing body for the Hamilton Public Library Board, has approved the following:

> That the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board be requested to provide the City with a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board.

Your submission to the City with a list of nominees for this appointment would be most appreciated.

Yours very ~~truly~~,

J. J. Schatz
City Clerk

JJS/SKR

HAMILTON
150TH BIRTHDAY
1996

The Board of Education for the City of Hamilton
Le Conseil de l'éducation de la ville de Hamilton

100 Main Street West
Hamilton, Ontario
Telephone (905) 527-5092
Fax (905) 521-2539

100, rue Main Ouest
Hamilton (Ontario)
Téléphone (905) 527-5092
Fac-similé (905) 521-2539

Director of Education & Secretary

Directeur de l'éducation et secrétaire

1997 02 21

J. J. Schatz, City Clerk
The Corporation of the City of Hamilton
City Hall
P.O. Box 2040
Hamilton, Ontario L8N 3T4

Dear J. J. Schatz:

As a result of the resignation of one our representatives to the Hamilton Public Library Board, the following resolution was approved at the February meeting of the Board of Education for the City of Hamilton on 1997 02 20:

> "That Mark S. Davies represent this Board on the Hamilton Public Library Board for the remainder of the three-year term ending 1997 11 30."

Mr. Davies mailing addresses is as follows:

> Mark S. Davies
> 233 Country Club Drive
> Hamilton, Ontario L8K 6B1

Yours sincerely

Merv Matier

Merv Matier
Director of Education
and Secretary

Mailing Address
P.O. Box 2558
Hamilton, Ontario
L8N 3L1

Adresse postale
C.P. 2558
Hamilton (Ontario)
L8N 3L1

City of
HAMILTON

1996 October 30

Mr. D. W. Goodridge
Director of Education
The Board of Education for the City of Hamilton
P. O. Box 2558
Hamilton, ON L8N 3L1

Dear Mr. Goodridge:

Subjoined for your information is Section 12 of the Seventeenth Report of the Finance and Administration Committee for 1996 respecting the appointment of School Board representatives to the Hamilton Public Library Board as adopted by City Council on 1996 October 29.

12. That the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board be requested to provide the City with a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board.

Section 9(3)1. of the Public Libraries Act, 1984 states that "two of the members of the public library board shall be persons recommended by the board of education and one member shall be a person recommend by the separate school board...". In the past, the Board of Education for the City of Hamilton has submitted a letter to the City recommending the names of two individuals as the Board's nominees.

The City is now asking that the Board of Education provide City Council with a list of nominees (more than two) when School Board representatives are recommended for appointment in the future.

It has come to my attention that one of the Board's nominees, Mr. Ram Kamath, has recently tendered his resignation as a member of the Hamilton Public Library Board. In keeping with the above-noted resolution, the City asks that a list of nominees (more than one) as recommended by the Board of Education for the City of Hamilton, be forwarded to City Council for consideration, in order to fill this one vacancy.

Your co-operation in this regard is most appreciated.

Yours truly,

J. J. Schatz
City Clerk

JJS/ct

M.R. (RAM) KAMATH

370 Greencedar Drive
Hamilton, Ontario
L9C 7K4

Res: (905) 575-7348
Bus: (905) 572-6602
Fax: (905) 572-6223

October 16, 1996

Trudi Down
Chairman, Hamilton Public Library Board
55 York Blvd.
Hamilton, Ontario
L8R 3K1

Dear Trudi:

I submit my resignation effective November 1, 1996 with deep regrets. This decision is not easy, however, a necessary one. My reasons are my personal commitments for the coming year.

I would like to express my sincere thanks to all of you for the tremendous opportunities for learning experiences provided to me during my short time as a member of your Board.

With regards and best wishes,

Ram Kamath
Board Member

/cp

4. (c.)

THE REGIONAL MUNICIPALITY
OF HAMILTON-WENTWORTH

Health and Social Services Committee

Councillor T. McMeekin, Chairman

c/o OFFICE OF THE REGIONAL CLERK, 119 KING STREET WEST 15th FLOOR
P.O. BOX 910, HAMILTON, ONTARIO, L8N 3V9
TEL:(905) 546-4304
FAX:(905) 546-2546

February 19, 1997

Mr. J. Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Subjoined, please find Item 4 of Report 3-97 of the Health and Social Services Committee which was approved by Regional Council at its meeting held on Tuesday, February 18, 1997.

4. Summer Hiring - Region & City

a) That the Region adopt a policy for municipal summer employment positions on a goal of 50/50 ratio to be shared between both students and Social Assistance recipients;

b) That this recommendation be forwarded to the Area Municipalities for consideration. **Item 3.3**

Your assistance in forwarding this resolution to the appropriate Committee of Council is appreciated.

A copy of the staff report is enclosed for your information.

Yours truly,

Mary Gallagher

Mary L. Gallagher
Legislative Assistant

REGION OF HAMILTON-WENTWORTH

- RECOMMENDATION -

DATE: 1997 January 30

REPORT TO: Chairman and Members
Health and Social Services Committee

FROM: Mr. M. J. Schuster
Commissioner of Regional Community Services Department

SUBJECT: **Summer Hiring - Region and City** # SOC 97-023

RECOMMENDATION;

a) That the Region adopt a policy for municipal summer employment positions on a goal of 50/50 ratio to be shared between both students and Social Assistance Recipients;

b) That this recommendation be forwarded to the Area Municipalities for consideration.

M. J. Schuster

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

SUSTAINABLE DEVELOPMENT IMPLICATIONS:
(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making).

BACKGROUND:

Since 1993 Regional Council has approved the above recommendation on an annual basis. In the past participation has occurred in the Region. (Results of previous years successes to date are attached)

Process

Staff of the Community Services Department (Ontario Works) work in conjunction with Human Resources staff to refer qualified Social Assistance Recipients to various Regional and City Departments for employment interviews. The final decision to hire the candidates is left with individual Departments.

Regional Social Assistance Cost Savings

The Ministry of Community and Social Services calculates cost savings for individuals going off assistance to employment by multiplying an individual GWA budget by 12 months and adding 15% for benefits received while on assistance, such as OHIP and drug cards. The maximum monthly is $520.00.

Based on this calculation, the GWA savings for 1996 were approximately $22,880. (22 jobs X 2 mo. X 520) + benefits for individuals who obtained full-time employment during the summer.

Prepared by: Alfred Spencer, Director of Employment & Income Support Division

50/50 SUMMER EMPLOYMENT PLACEMENT

Date: 29 January 1997 **Period Covering:** March 22, 1993 - June 30, 1996

Pre-screening Interviews	1993	1994	1995	1996
No. of pre-screening interviews scheduled	252	243	209	126
No. of pre-screening interviews/applications completed	227	225	198	126
No. of failed to report	14	18	11	3
No. of individuals not eligible	11	3	7	2
No. of individuals already working/not interested	16	5	14	9
Total no. of individuals contacted	269	326	230	135
No. of referrals unable to contact	216	115	106	26
Total Number of referrals to Job Developer	484	391	336	167
Regional Positions				
No. of Positions proposed	39	39	26	26
No. of positions cancelled/no longer available	9	13	1	10
No. of positions available	30	26	25	16
No. of positions forwarded to departments	112	126	125	38
No. of final interviews granted	50	48	65	33
No. of positions still available	1	0	0	0
No. of positions filled to date	29	33	25	16
No. of Individuals who have secured full-time employment as a result (Hired full-time within the Region)		6	5	0
City Positions				
No. of positions available	89	79**	80	7
No. of applications forwarded	197	94	68	66
No. of final interviews granted	111	57	21	3
No. of positions filled by non-SAR clients	5	63	64	25
No. of positions filled to date	84	16	16	6

NOTE: ** 72 of these positions were play-lot leader positions, requiring experience instructing children, paying $6.70/Hr.

CITY OF HAMILTON

- RECOMMENDATION -

5. (a.)

DATE: 1997 April 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **BUSINESS IMPROVEMENT AREA BY-LAWS**

RECOMMENDATION:

That the 1997 levy by-laws for the seven (7) Business Improvement Areas in the City of Hamilton be approved in the amounts as follows:

Business Improvement Areas	1997 Levy
Barton General	$8,760.00
Westdale	$35,000.00
International Village	$53,500.00
Ottawa Street North	$50,000.00
Concession Street	$10,100.00
Downtown Promenade	$84,000.00
Main Street West	$3,000.00

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Allan C. Ross

To raise operating funds for 1997 as required by the Boards of Management for the Business Improvement Areas.

BACKGROUND:

The millrates are set in accordance with the Business Improvement Area Budget as approved by City Council. Any uncollected levies for the respective areas from prior years will be deducted from the amounts transferred to the Board.

LF/lf

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET BETWEEN EAST 18TH STREET AND EAST 25TH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 5 of the Twentieth Report of the Planning and Development Committee on December 10, 1996 approved the amount of $10,100.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 83-308.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $10,100.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-144 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$695,208.00
2.	The Mill Rate for the special charge is calculated by:	14.5280
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$10,100.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING KING STREET WEST AND THE AREA OF THE INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 8 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $35,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-030.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $35,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-098 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$667,620.00
2.	The Mill Rate for the special charge is calculated by:	52.4250
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$35,000.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 9 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $50,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-031.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $50,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-099 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $1,170,963.00

2. The Mill Rate for the special charge is calculated by: 42.6999

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1997 $50,000.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST SIDES OF MAIN STREET WEST BETWEEN LOCKE STREET ON THE WEST AND QUEEN STREET ON THE EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 7 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $10,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 90-197.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $10,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 92-078 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$544,136.00
2.	The Mill Rate for the special charge is calculated by:	18.3778
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$10,000.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 6 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $8,760.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $8,760.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No.

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$367,879.00
2.	The Mill Rate for the special charge is calculated by:	23.8122
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$8,760.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

The Levy of a Special Charge

In Respect of:

THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

GENERALLY COVERING THE AREA BETWEEN KING WILLIAM STREET, MARY STREET, MAIN STREET EAST AND JAMES STREET

WHEREAS, Section 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 5 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $84,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 82-151.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1997 in the amount of $84,000.00 are hereby approved.

2. In order to raise the said $84,000.00 there is hereby levied a mill rate of 10.7567 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:

   (1) The assessed value of all the real property in the Areas used as the basis for computing business assessment (known herein as "the Total Assessed Value") is $8,518,812.00

   (2) The assessed value of the real property that is used as the basis for computing the business assessment for Kelloryn Hotels (Hamilton) Inc with respect to the hotel business known as "The Royal Connaught"

at 82 King Street East is	592,212
This is reduced by two-thirds	394,808
to produce the Reduced Assessed Value of that business:	**197,404**

(3) The assessed value of the real property that is used as the basis for computing the business assessment of Premiere Hotels Ltd with respect to the hotel business known as "The Ramada Hotel"at 150 King Street East

is	472,351
This is reduced by two-thirds to produce the Reduced Assessed Value of the business:	314,901
	157,450

(4) "The Reduced Total Assessed Value" is $8,518,812.00 - (394,808.00+314,901.00): $7,809,103.00

(5) The Mill Rate for the Special Charge is calculated by:

(a) dividing the approved estimates of the Board of Management, $84,000.00

(b) by the Reduced Total Assessed Value, $7,809,103.00 and

(c) multiplying the result by 1,000: 10.7567

3. The portion of the Special Charge which is to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN MARY STREET AND WELLINGTON STREET NORTH

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 4 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $53,500.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 76-019.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $53,500.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-212 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$953,133.00
2.	The Mill Rate for the special charge is calculated by:	56.1307
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$53,500.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

5. (b)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 April 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1997 Property Tax Information - Tax Bills and Information Brochure

BACKGROUND:

City of Hamilton taxpayers receive a Billing/Notification of Realty Taxes in May of each year which indicates the tax increases applicable to the City, Region and the Boards of Education, along with the combined overall increase. For 1997, the overall tax increase will be 0.89%, consisting of a 0.66% increase for Regional purposes, a 1.47% increase for School Board purposes and no increase for City purposes. The 1997 mill rates have been officially approved by all of the tax levying Bodies with the exception of the Separate School Board who will be meeting on Tuesday evening, April 22, 1996 to finalize their budget. We have been verbally advised however that it is their intention to match the mill rates approved by the Public Board in accordance with their policy of previous years.

Attached is the draft 1997 Property Tax Information Brochure Insert, which will be included with the May billing of the 1997 Property Taxes. The brochure is designed to provide general information for the taxpayer with respect to their 1997 Realty Taxes. The information presented addresses the three components that comprise the tax bill, the share of the taxes that go to each, the respective rates of tax increase for 1997, Provincial funding cuts in 1997, and the appropriate telephone numbers for general enquiries with respect to each taxing body. The brochure advises that the City is required under Provincial Legislation to collect the taxes on behalf of the Region, Boards of Education and the City and provides a comparison of the tax increases for the past 5 years. General taxpayer information is also provided regarding alternative tax payment methods, highlighting the MAPP (Monthly Automatic Payment Plan) program.

A similar brochure was produced in 1996. The total cost for printing, folding and inserting the brochure is estimated to be $3,800. This brochure is presented for the information of Committee prior to its printing in time for the tax bill schedule.

Staff are also proposing that a note be included on the tax bill and the brochure to clarify the amount shown as the percentage increase in taxes levied from the previous year. The amount shown on the tax bill as " Total Taxes " includes amounts levied for special charges and non-metered water and sewer rates. However, the overall average tax increase calculation only takes into account the increase in the mill rates from the previous year. As a result staff receive numerous calls from taxpayers who are comparing the Total Taxes on their bills and are unable to reconcile the difference. In order to clarify this situation, staff are recommending that the following note be included on the tax bills to qualify the amount of the taxation increase from the previous year - " (excludes special charges and Regional non-metered water and sewer rates). "

It should also be noted that at the time this report was prepared, staff had not yet received the final numbers for the Provincial funding cuts and other 1997 data from the Public and Separate School Boards. This information is curently being updated and will be incorporated into the brochure prior to finalization.

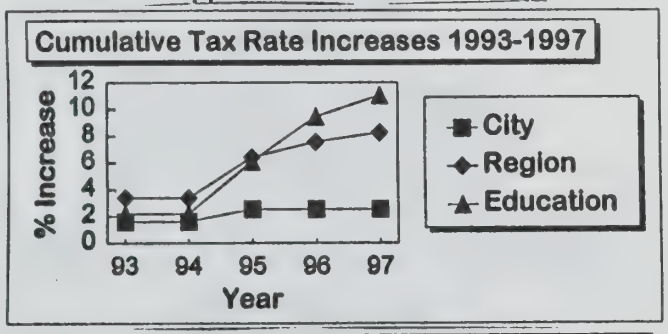
Allan C. Rose

CK:jc
Attch'd1

Here's a simple guide to understanding just how your 1997 property tax dollars are being spent.

As an average property taxpayer living in the City of Hamilton with a $5,000 assessment, your 1997 tax bill (excluding Special Charges and Regional non-metered water and sewer surcharge) is $2,119.26. This reflects an $18.62 increase or 0.89% over your comparable 1996 tax bill.

Under Provincial legislation, the City is required to collect tax revenues levied on behalf of the Regional Municipality of Hamilton-Wentworth, the Hamilton Boards of Education (Public and Separate) and the City. The Mill Rate is the same for Public and Separate School Supporters.



For enquiries or general information refer to:

The Board of Education
for the City of Hamilton
P.O. Box 2558
Hamilton, Ontario
L8N 3L1
521-2508
www.hboe.on.ca

The Hamilton-Wentworth
Roman Catholic Separate
School Board
P.O. Box 2012
Hamilton, Ontario L8N 3R9
525-2930
www.hwssb.edu.on.ca

The Regional Municipality
of Hamilton-Wentworth
P.O. Box 910
Hamilton, Ontario
L8N 3V9
546-4111
www.hamilt[illegible]ent.on.ca

The Corporation of the
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4
546-2700
www.city.hamilton.on.ca

City of Hamilton 24.8%

($113 Million)

Twenty-four point eight percent of all property tax dollars are collected on behalf of the City of Hamilton to support the following direct services:

Services .....

- **Fire Protection**
- **Waste Collection**
- **Snow Removal**
- **Libraries**
- **Recreational Facilities**
- **Historical Sites**
- **School Crossing Guards**
- **Parks**
- **Planning & Development**
- **Local Roads/Sidewalks**
- **Community Revitalization**
- **Traffic**
- **Street Lighting**
- **By-Law Enforcement**
- **Licensing**
- **Grants to Local Groups**
- **HECFI** *(Hamilton Place, Copps Coliseum and Hamilton Convention Centre)*

Region of 26.4%

Hamilton-Wentworth

($120 Million)

The Regional Municipality of Hamilton-Wentworth is made up of six municipalities: *Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek.* Twenty-six point four percent of all property tax dollars are collected on behalf of the Region to support the following direct services:

Services .....

- **Social & Family Services**
- **Police Services**
- **Environmental Services**
  - *Water Works, Sanitary Sewers*
  - *Storm Sewers (local), Solid Waste Disposal*
- **Economic Develop[illegible] & Tourism**
- **Public Health**
- **Transportation Services**
  - *Regional Roads, Public Transportation (HSR)*
  - *Disabled and Aged Transit (DARTS), Airport*
- **Regional Planning**

Education

Forty-eight point eight percent of all Property tax dollars are collected on behalf of the Boards of Education to support the following: **48.8%**

- **The Board of Education for the City of Hamilton ($163 Million)**

The Board of Education for the City of Hamilton *(Public)* serves approximately 52,360 learners o all ages at 113 facilities. The Levy collected supports the following direct services:

Services .....

- **Childhood Education/Junior Kindergarten**
- **Meeting Behavioural, Communicational, Intellectual, Physical and Multiple Needs of Students**
- **Student Social Support Services**
- **Computers Across the Curriculum**
- **Environmental/Outdoor Education**
- **Psycho-educational Services**
- **Design/Technology Education**
- **Languages Instruction**
- **Co-operative Education with Business**
- **Drug Education**
- **French Language Services**
- **Extra-Curricular Programs - Music, Drama, Athletics, etc.**
- **Summer School**
- **Adult and Continuing Education**
- **Community Use of School Recreation Facilities**
- **Educational Programs in Care, Treatment and Correctional Facilities**

DRAFT

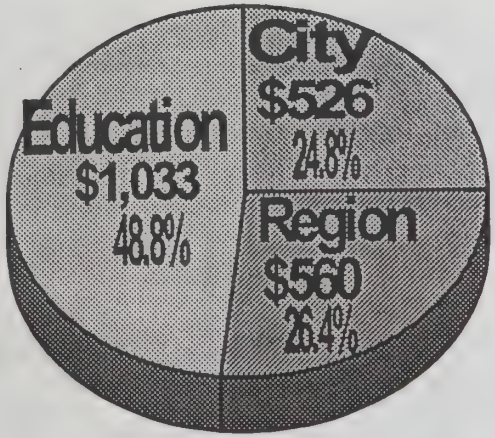
- **The Hamilton-Wentworth Roman Catholic Separate School Board ($59 Million)**

The Hamilton-Wentworth Roman Catholic Separate School Board *(Separate)* serves approximately 20,600 learners of all ages at 46 facilities. The Levy collected supports direct services comparable to the Public Board.

Where Do Your Tax Dollars Go ...

Tax Impact on a Residential Property with a $5,000 Assessment
(excluding Special Charges and Regional water and sewer surcharge)

Total $2,119



Provincial Funding Cuts in 1997....

- **City -** ***$4.0 million or 2.5% of the Budget.***
- **Region -** ***$10.0 million or 2.4% of the Budget.***
- **Public School Board -** ***$3.2 million or 1.2% of the Budget.***
- **Separate School Board -** ***$1.4 million or 1.2% of the Budget.***

DRAFT

For Property Taxpayers

Realty Property Tax Payment Options

The City of Hamilton offers three options by which property owners may make direct tax payments:

#1 *The Monthly Automatic Payment Plan*

The City of Hamilton's Monthly Automatic Payment Plan allows twelve pre-authorized monthly withdrawals directly from the taxpayer's bank account. Payments are monthly for ease and convenience.

#2 *The Instalment Plan*

Four instalments are payable by the taxpayer on the last working day of February, March, June and September.

#3 *The Prepayment Instalment*

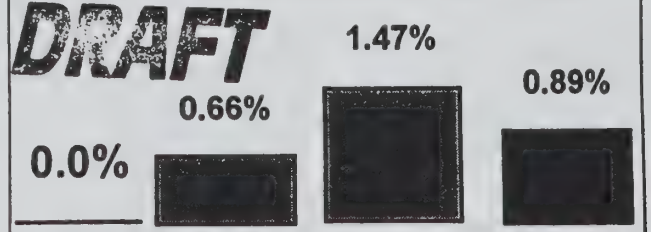
The property taxpayer has the opportunity to take advantage of a prepayment credit twice yearly. The discounted balances for instalments one and two are due on the last working day of February. The discounted balance for instalments three and four can be paid by the last working day of May.

For further information or if you have questions regarding any of the payment options please call the **Taxation Division, Treasury Department, City of Hamilton at *546-2774.***

INFORMATION ON YOUR 1997 PROPERTY TAX DOLLARS

PERCENTAGE INCREASE IN TAXES LEVIED 1997 OVER 1996

DRAFT



Excludes Special Charges and Regional Non-Metered Water & Sewer Surcharge

CITY OF HAMILTON

- INFORMATION -

6.

DATE: 1997 March

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D.K. Beattie
Grants Co-ordinator

SUBJECT: Payment of 1996 Grant - Greek Festival

BACKGROUND:

Item 4 (Payment of 1996 Grant - Greek Festival) of the Committee of the Whole agenda for April 3, 1997 considered the outstanding 1996 Grant payment to the Greek Festival. The City Clerk has confirmed that inadvertently this item was not addressed at the meeting. It has been suggested that the Finance and Administration Committee may want to give direction in this matter.

City Council at its meeting March 28, 1996 approved of a general grant for the Greek Festival in the amount of $2,800. for the festival to take place in Hamilton. Subsequently, the organization moved the Festival to Stoney Creek.

The Grants Process Group has considered this issue and has forwarded this item for the Committee of the Whole to confirm the payment of this 1996 Grant. The funds were set-up as part of the 1996 year-end closing procedures.

Attached is correspondence from the organization explaining the circumstances of the Festival venue change.

D Kevin Beattie

DKB

Att'd

THE GREEK ORTHODOX CHURCH OF THE DORMITION OF THE VIRGIN MARY
ΕΛΛΗΝΙΚΟΣ ΟΡΘΟΔΟΞΟΣ ΙΕΡΟΣ ΝΑΟΣ ΤΗΣ ΠΑΝΑΓΙΑΣ
"Η ΚΟΙΜΗΣΗ ΤΗΣ ΘΕΟΤΟΚΟΥ"

Panagia Greek-Canadian Community
of Hamilton & Vicinity

Greek Orthodox Di
of Toronto (Canada

[redacted]

233 East 15th Street * Hamilton * Ontario * Canada * L9A 4G1 * Phone (905) 385-9815

DIRECTOR OF FESTIVAL GRANTS
FINANCE COMMITTEE
CITY OF HAMILTON

ATT: MR. KEVIN BEATTIE

RE: GREEK COMMUNITY <<PANAGIA>> FESTIVAL GRANT:

Dear Sir:

Further to our conversation as to why the Community moved the Festival to Winnona park, located in Stoney Creek, in 1996, the following factors were considered to make that decision. Which are:

In 1995 the community suffered a loss of $45.000,00 because the operating costs were extremely high, in operating the festival at Harbor Front.

Such expenses as electricity, water, and other major operating costs not anticipated were the cause of such a disastrous financial loss. This concern, of not repeating such a disastrous venture, was enough for the council to look at other venues that will eliminate most of the operating costs thus making the Festival a successful Financial venture. Thus the council decided to hold its Festival for the year 1996, in the park situated in Stoney Creek.

Although our Festival did take place in a park located in Stoney Greek we did advertise the city of Hamilton, we most certainly entertained Hamiltonians, and all our purchases i.e. food, entertainment, advertisement ads, advertisement materials, were purchased from business operating in Hamilton and owned by residents of Hamilton.

As for this year, 1997, the council has decided to hold The Festival in the City of Hamilton, utilizing all the facilities of The community center including the inside of the building as well as the area outside the building.

The council has decided that all entertainment will be local talent, to promote The Festival, and the City of Hamilton and all purchases to be purchased from local business.

I hope that the above information justifies why we, (the council of the Community) decided in 1996 to relocate the festival, and qualifies the Community for the much needed and appreciated Festival Grant.

We assure you that as from now and on the policy of the community is: Any Festivities that the Community holds will take place in the City Of Hamilton. This is the wish and demand of our new parish priest, and the newly elected council.

In Cooperation and Trust
on behalf of the council and the Community

The Parish Priest

Rev. Fr. Dimitris Tzaneteas

The President

K. Kandalepas

Kostas Kandalepas

7.

CITY OF HAMILTON

- RECOMMENDATION -

APR 10 1997

DATE: 1997 April 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Young Family Cemetery

RECOMMENDATION:

That the City Solicitor, on behalf of the City of Hamilton, be authorized to initiate an Application under the Cemeteries Act to declare the Young Family Cemetery, located at 1541 Upper Wellington Street, abandoned.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

The Young Family Cemetery is a pioneer cemetery established in 1886 and has dimensions of approximately 36.75 feet by 49.8 feet. It is located on Upper Wellington Street, South of Stone Church Road East. The original owners of the cemetery died many years ago.

In 1988, the Public Works Department investigated the ownership status of this cemetery. The Cemeteries Act requires the municipality to maintain abandoned cemeteries. As a result of the Public Works Department's inquiries, several Young family descendants formed the Young Family Cemetery Trust to maintain the cemetery.

The Young Family Trust has suggested to the Public Works and Traffic Department that the cemetery be declared abandoned. The Trust indicates that it can no longer maintain the cemetery.

ANALYSIS

Under the Cemeteries Act, an application to the General Division Court to declare a cemetery abandoned may be made by the owner or the municipality. An application can be made if the owner cannot be found or if the owner is unable to maintain the cemetery. The Young Family Trust states that they are not the owner of this cemetery.

When a cemetery is declared abandoned, the municipality is required by the Cemeteries Act to maintain the abandoned cemetery. The Young Family Trust has indicated that it has no assets to transfer to the City to help pay for the maintenance of the cemetery. If the Court declares the cemetery abandoned, the municipality becomes the owner of the cemetery with rights and obligations of the owner. Generally, the largest obligation is the maintenance, including grass cutting of the cemetery.

An application to the Court would require staff time. If the Application is granted, the City would have to maintain the cemetery.

PNJ:LEF:as

8. (a.)

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Mr. D. W. Vyce Director of Property Property Department	YOUR FILE:	
FROM:	Susan K. Reeder, Secretary Finance and Administration Committee	OUR FILE: PHONE:	546-2753
SUBJECT:	Declaration of Surplus Properties	DATE:	1997 April 3

As you are aware, the Finance and Administration Committee, at its meeting held Tuesday, 1997 April 1st, were in receipt of your report respecting three surplus properties.

At the request of Alderman Wilson, it was agreed that your recommendation respecting these properties, as follows, be tabled until the 1997 April 22nd meeting:

(a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 36 Newlands Avenue, Car Park #4B
(ii) 56 Kenilworth Avenue North, Car Park #30
(iii) 1368 Barton Street East, Car Park #58

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

cc Alderman D. Wilson

file

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property:
(i) 36 Newlands Avenue, Car Park #4B
(ii) 56 Kenilworth Avenue North, Car Park #30
(iii) 1368 Barton Street East, Car Park #58

RECOMMENDATION:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 36 Newlands Avenue, Car Park #4B
(ii) 56 Kenilworth Avenue North, Car Park #30
(iii) 1368 Barton Street East, Car Park #58

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

J. G. Pavelka

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

Tabled
App'd by Committee 1997 April 1st
to April 22nd meeting
App'd by Council

Sale of the subject lands will generate additional property tax revenues. The Parking Authority lot at 36 Newlands developed residentially should yield annual property taxes estimated at approximately $6,000, as if vacant. The other commercial lands can be expected to generate approximately $6,000 in property taxes as undeveloped parcels of land.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a By-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

These properties being recommended as surplus have all been circulated to all City and Regional Departments and there has been no declared municipal interest.

DISCUSSION:

On 1997 March 11, City Council considered approval of a resolution which would formally declare eight (8) properties as surplus to City requirements. City Council approved the declaration of five (5) properties as surplus. At the request of Alderman D. Wilson, three (3) properties were deleted from the properties listed in the Council Agenda and were referred back to the Finance and Administration Committee for further consideration. These properties are 36 Newlands Avenue, 56 Kenilworth Avenue North and 1368 Barton Street East.

The subject properties have been in use as municipal parking lots and have been operated by the Hamilton Parking Authority (HPA). On 1995 December 20 the HPA advised the Property Department that these sites were deemed surplus to the requirements of the Authority. The sites have been closed to parking uses.

During February of 1996, we were requested to withhold taking any action to dispose of Parking Authority properties until such time as a report on off-street parking services was presented to the Finance and Administrative Committee. As of this date, a report has not been filed.

Various inquires to purchase these sites have been received by the Property Department. In view of this, the Finance and Administrative Committee has asked that these Parking Authority properties now be put forward for consideration as surplus properties.

VDP/nw

c.c. Alderman G. Copps, Alderman, Ward 4
Alderman Dave Wilson, Alderman, Ward 4
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
D. Lobo, Commissioner of Public Works and Traffic
P. G. Baker, General Manager, Hamilton Parking Authority

PROPERTY DESCRIPTION

(i) 36 Newlands Avenue, Car Park #4B

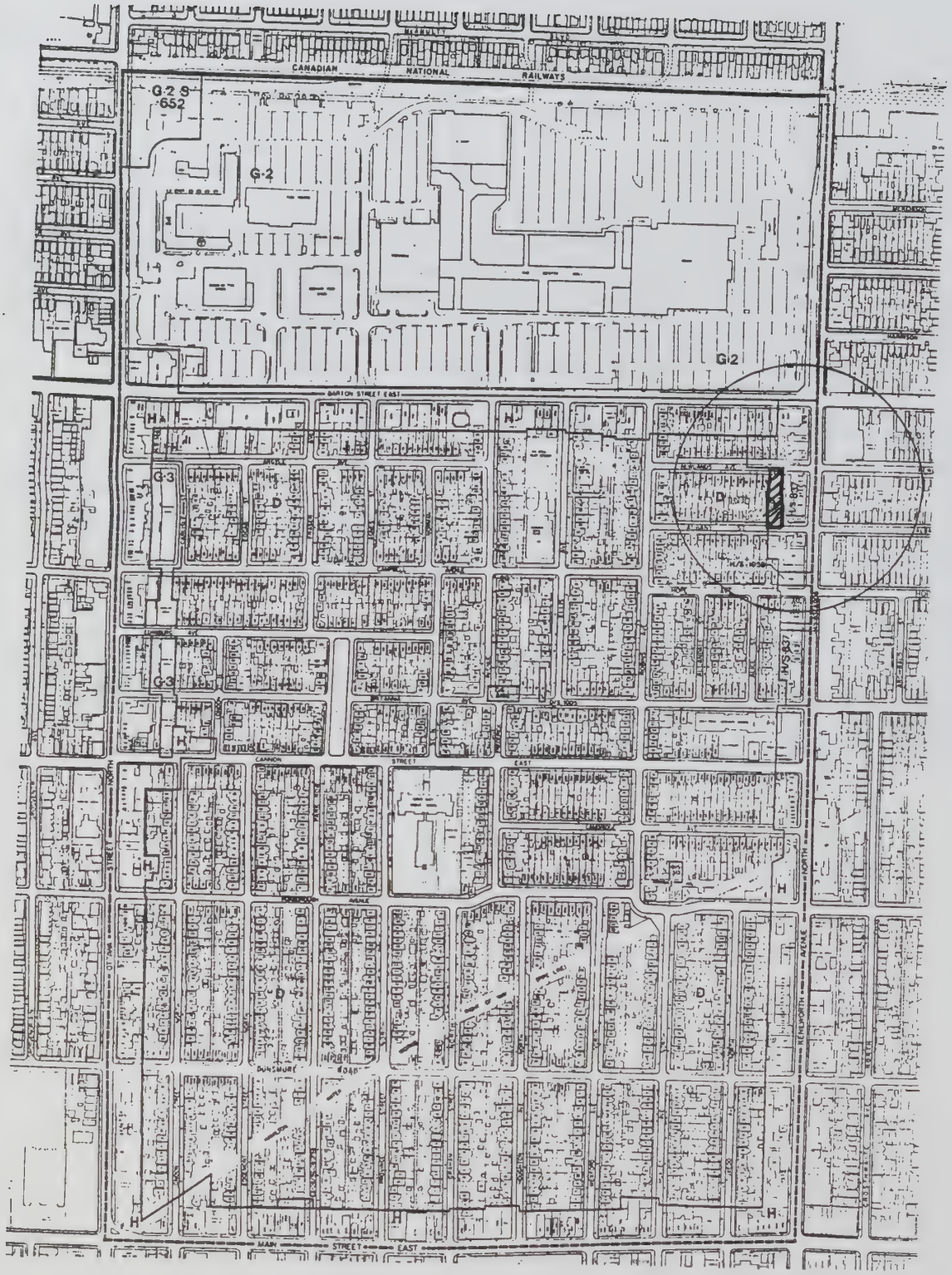
Located on the south side of Newlands Avenue and the north side of Albany Avenue zoned G-3 (Public Parking Lot) and having dimensions of 55 feet by 200 feet . This property is designated "Commercial/Apartment" on the approved Crown Point East Neighbourhood Plan, but the Planning Department supports residential infill development for four (4) possible single family lots.

(ii) 56 Kenilworth Avenue North, Car Park #30

Located on the east side of Kenilworth Avenue North, zoned "H" (Community Shopping and Commercial), having dimensions of 37 feet by 100 feet . This property is designated "Commercial" on the approved Homeside Neighbourhood Plan, and the Planning Department supports the continuation of this commercial use.

(iii) 1368 Barton Street East, Car Park #58

Located on the south side of Barton Street East, zoned "H" (Community Shopping and Commercial), having dimensions of 60 feet by 104.48 feet. This property is designated "Commercial" on the approved Homeside Neighbourhood Plan, and the Planning Department supports the continuation of this commercial use.



c) 36 NEWLANDS AVE

72	73	74
35	34	66
37	36	9

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

CROWN POINT EAST

ZONING

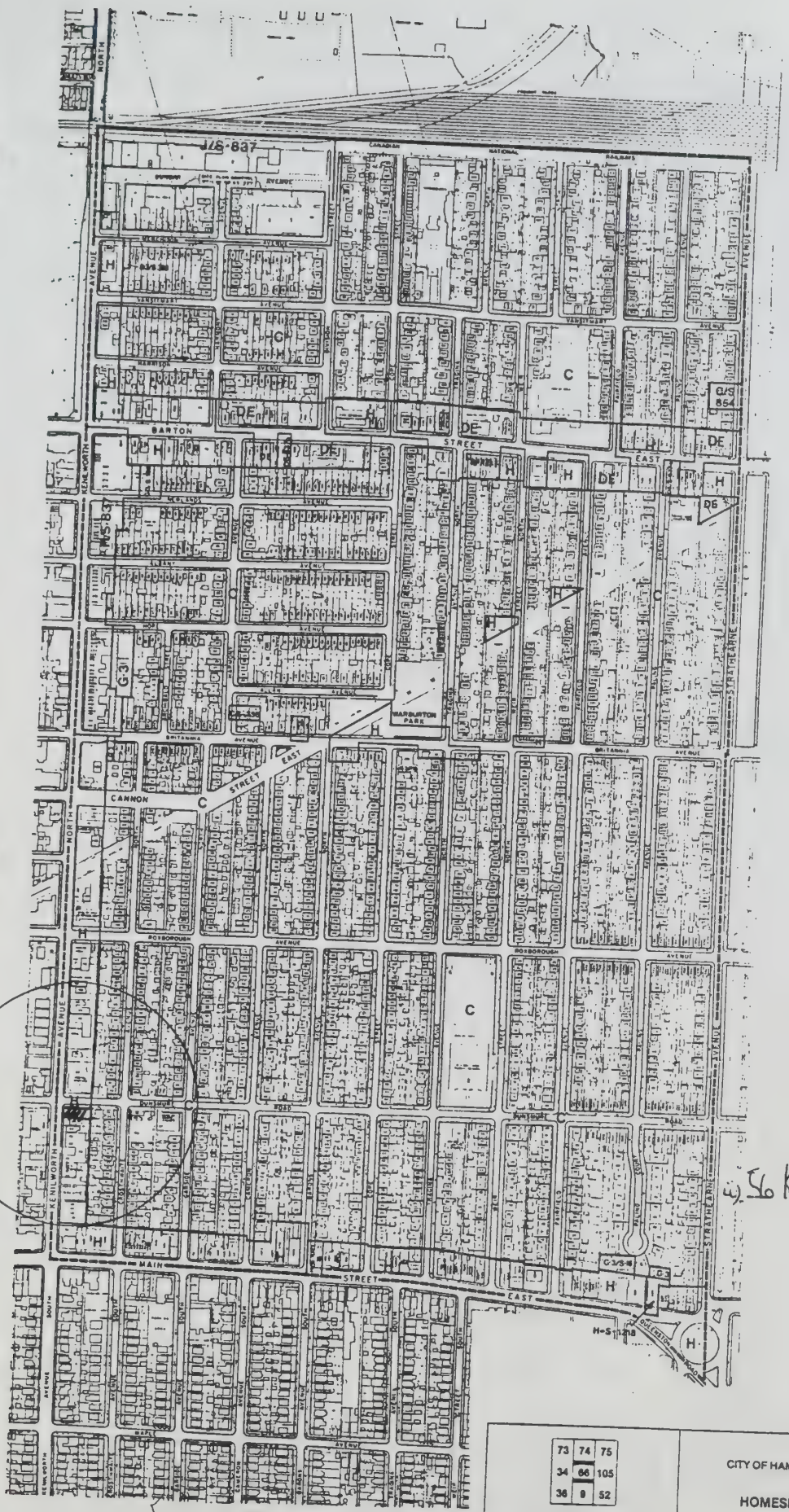
Neighbourhood Boundary
Zoning Boundary.

0 100m
SCALE 50m
NORTH

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6510

PAGE NO 34



73	74	75
34	66	105
36	9	52

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

HOMESIDE

ZONING

Neighbourhood Boundary

Zoning Boundary.

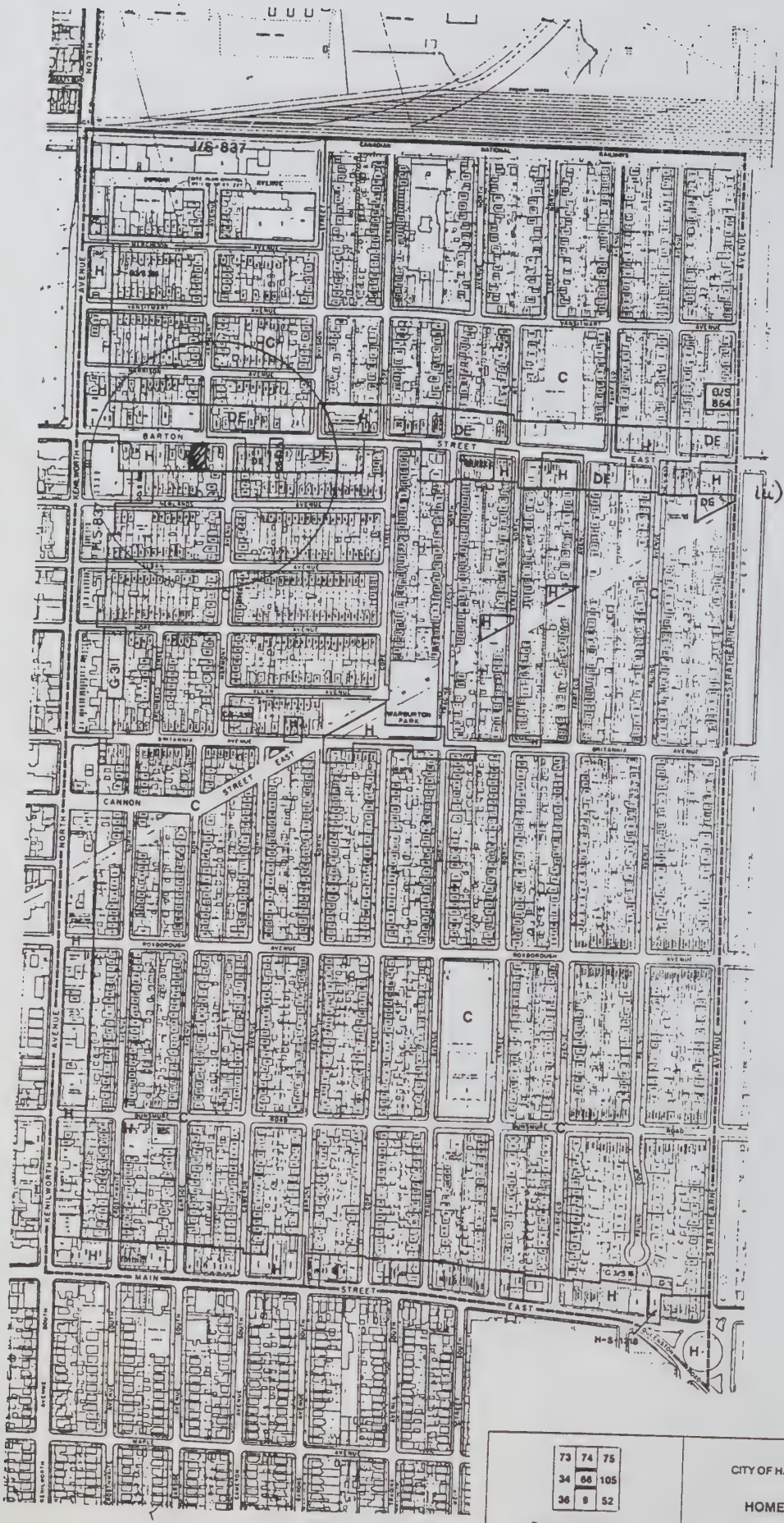
SCALE 0 30m 100m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6509

PAGE NO 66



(a) 1368 Barton St E.

73	74	75
34	88	105
36	9	52

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department

CITY OF HAMILTON

HOMESIDE

ZONING

Neighbourhood Boundary
Zoning Boundary

SCALE 0 30m 100m

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6509

PAGE NO 66

8.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - Sale of City Property (Tax Sale)
467 Charlton Avenue East to Ron Van Kleef for
operation of taxi business

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by Ron Van Kleef, on 1997 April 2 and scheduled to close on or before 1997 October 30, for the lands municipally described as 467 Charlton Avenue East, being part of Lots 11 and 12, Concession 3, in the geographic Township of Barton; Parcel 17, part of Parcel 18 and part of Parcel 29, as in Book 223A, City of Hamilton, Regional Municipality of Hamilton-Wentworth, being an irregular shaped parcel containing 1.18 hectares (2.91 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $150,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $15,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the first $100,000 and 4% on the remaining $50,000 sale price be paid to Cupido Realty & Insurance Ltd. (Sales Representative Mario Cupido), who acted in this matter; and,

(d) That the Offer to Purchase be subject to conditions, for the benefit of the Purchaser, so that the Purchaser may:

(i) at his expense satisfy himself as to the cost to demolish the existing building, prior to 1997 May 31;

(ii) at his expense, make investigations to satisfy himself as to the quality of soils and environmental condition of the property, prior to 1997 June 28;

(iii) at his expense, obtain approval to legally operate a taxi business on/from the subject property, which may necessitate a rezoning, prior to 1997 October 1;

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 April 22;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $150,000, less commission of $7,000, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases). Although changes to the property and building are inevitable, assuming this transaction is completed, the current property taxes are approximately $25,827.

BACKGROUND:

The subject property is located on the north side of Charlton Avenue East, 166 feet west of the south end of Wentworth Street, extending westerly some 1,000 feet almost to the intersection of the Sherman Access with Charlton Street. The property is improved with a 17,780 square foot, more or less, concrete block building and associated asphalt paved customer parking area, formerly known as "Sportsman's Lanes" and operated as a bowling and billiard establishment with restaurant in the building and a mini put golf course outside the building to the north-west.

The property is primarily designated "Industrial", with a small part in the north-west corner designated "Open Space" in the Stinson Neighbourhood Plan. There are corresponding zoning categories "M-13" (Prestige Industrial Uses) and "A" (Conservation Open Space, Park and Recreation). Approximately 1.5 acres is level, developable land with the remaining 1.4 acres being lands that are sloping and for the most part wooded (part of escarpment slope). Land to the north is railway property. To the east there are four (4) small older brick bungalows along the north side of Charlton Avenue. To the south across the street and to the west are vacant, sloping, open space, wooded or landscaped areas associated with the escarpment.

Last year the property was included on a list of properties for sale prepared by the Treasury Department that were in tax arrears. The public was notified in the Spectator on 1996 June 22 and the tenders that were received were opened on 1996 July 23. The minimum bid (amount of tax arrears) for 467 Charlton Street East was $191,508.49. The property did not sell.

Since the property was not sold through the City's tax sale procedures, pursuant to the Municipal Tax Sales Act, it became vested in the City on 1997 July 26, when Instrument VM232323 was registered at the Land Registry Office.

On 1996 August 15 the Fire Department advised the Property Department that a fire had occurred in the rear of the building and that the asbestos in the building has been damaged. Appropriate personnel were advised by the Manager of Real Estate of the asbestos hazard. Subsequently, the Manager of Building Operations and Maintenance provided an estimate of the cost to clean up the asbestos ($100,000 to remove and $125,000 to remediate). The building was re-secured. There was evidence of vandalism.

The Purchaser has been made aware in the Offer to Purchase of the presence of asbestos, that is currently in an unsafe condition, and the City's cost estimates to remediate or remove.

Vandalism continued throughout the Fall of 1996 and the property was re-secured after each occurrence. The damage to the former wooden mini-putt building was so extensive that what was left of the entire structure was removed.

A memorandum was circulated to all departments in September when each was asked if it had any interest in the subject property. Most departments responded, indicating no interest in the property. On 1996 December 6, the Culture and Recreation Department requested that the Property Department hold off declaring the property surplus as they had submitted a proposal to Capital Budget. In January 1997 the Culture and Recreation Department received estimates for demolition and asbestos removal and on 1997 February 10 that department indicated that it was no longer interested in the property. Council subsequently declared the property surplus in order to sell it.

On 1997 January 7, staff had received a cost estimate to demolish the building from Varga Bros. Wrecking at $40,660.

On 1997 February 24, there was another significant fire, believed to be caused by vandals, that caused damage to the front interior of the building.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) On 1997 March 14, City Council approved Item 15 of the 4th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on 1997 April 2, after Council declared the property surplus, to inform the public that the City intends to sell the said subject land;

(c) the offered price of the subject land is above the range of value which has been determined through an appraisal of the subject's fair market value.

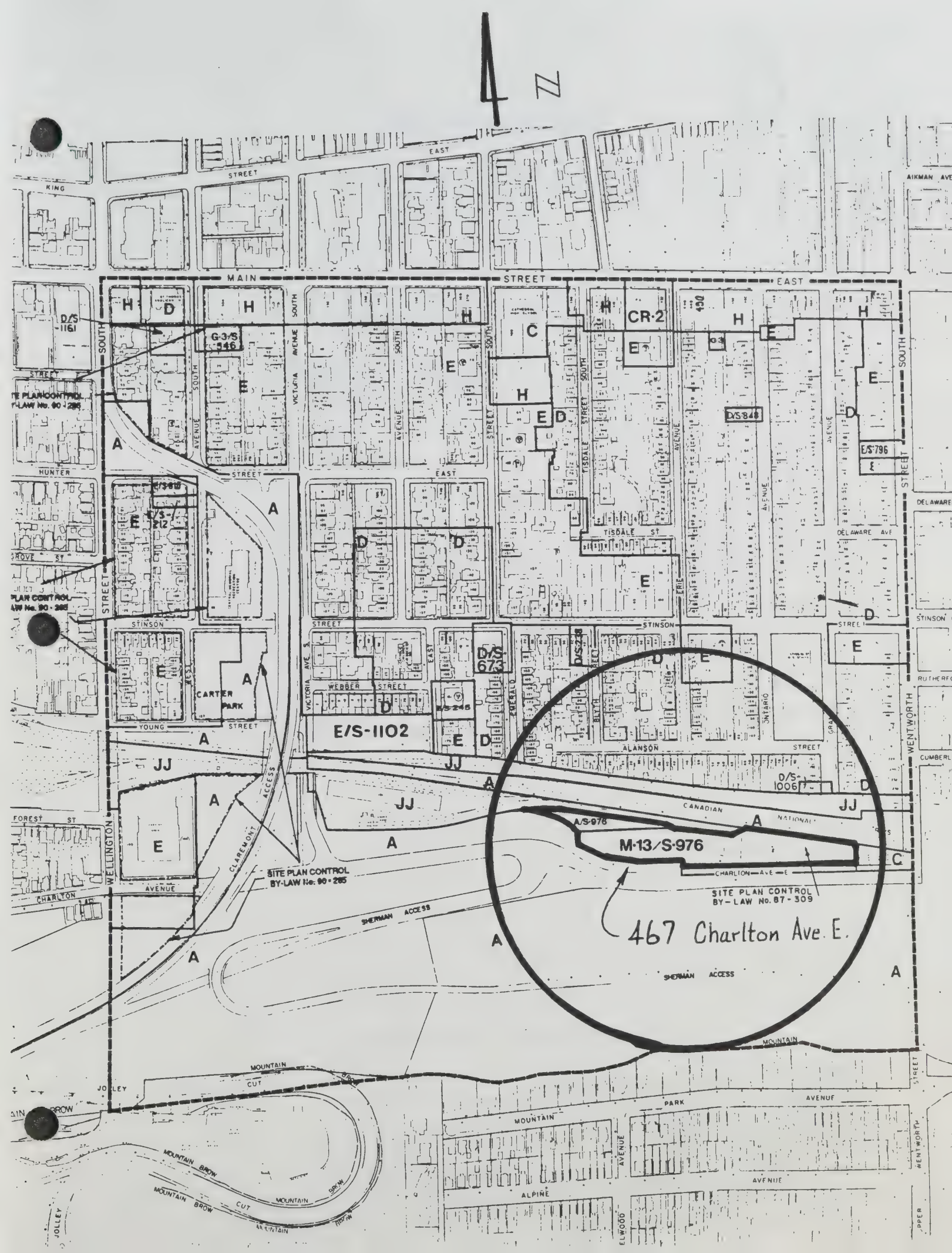
KDA/nw

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

K. M. Lau, Manager of Surveys, Roads Division

R. Swan, Manager, Building Operations and Maintenance Division


N
MAIN STREET EAST
KING STREET EAST
HUNTER STREET EAST
STINSON STREET
YOUNG STREET
WEBBER STREET
ALANSON STREET
TISDALE STREET
DELAWARE AVE
CHARLTON AVE E
FOREST ST
MOUNTAIN BROW
MOUNTAIN PARK AVENUE
VICTORIA AVENUE SOUTH
WELLINGTON AVENUE
CLAREMONT ACCESS
SHERMAN ACCESS
WENTWORTH STREET
CANADIAN NATIONAL
CARTER PARK
E/S-1102
M-13/S-976
A/S-976
D/S-1161
G-3/S-546
D/S-1006
D/S-848
E/S-796
SITE PLAN CONTROL BY-LAW No. 90-285
SITE PLAN CONTROL BY-LAW No. 87-309
467 Charlton Ave. E.

8.(c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P.Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Lease - Canadian Football Hall of Fame Building
to Canadian Super Party Inc.
Space Formerly Occupied by Press Club

RECOMMENDATION:

(a) That the current lease with the Hamilton Press Club be terminated; and,

(b) That the Corporation of the City of Hamilton enter into a lease at 58 Jackson Street West with Canadian Super Party Inc. (Terry O'Donnell) on a month to month basis for a three (3) month period commencing 1997 April 1; and,

(c) That the lease for the above space contain the following terms and conditions:

(i) Premises: The leased premises are located in the basement of 58 Jackson Street West, and comprises of 1,406 square feet (formerly occupied by Press Club) and is to be used as a bar;

(ii) Term: Short term lease on a month to month basis up to a three (3) month period to commence on 1997 April 1. The Hall of Fame Management Committee will consider at a future meeting whether to grant this tenant a three (3) year lease at which time a further report will be forwarded to the Finance and Administration Committee for consideration;

(iii) Rent: $10.50 per square foot (modified gross) $1,230.25 per month. This rate includes realty taxes based on the existing assessment. If the assessment was to increase then the tenant must pay the additional tax amount. The Tenant must also pay for hydro, water, heat, janitorial service and provide proof of insurance as required by the City of Hamilton in amounts satisfactory to the City Solicitor. The first month rent is to be paid in advance;

(iv) Additional Terms:

(1) The tenant must pay for the costs of fixing the existing exhaust fan in order to ensure that cigarette smoke does not provide a continued hazard to the Hall of Fame collections;

(2) The tenant will be assessed a $100 fee for every time the alarm is triggered for this leased area so as to cover the cost of staff and police charges for each alarm received;

(d) That the Mayor and City Clerk be authorized to execute a short term lease agreement in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The monthly rent of $1,230.25 includes realty taxes amounting to $490.11 per month leaving a net revenue to the Hall of Fame of $740.14 per month.

BACKGROUND:

On 1996 September 24, the Finance and Administration Committee adopted the following resolution:

> "That the Canadian Football Hall of Fame and Museum Management Board be authorized to negotiate the leases, with the assistance of the Director of Property, for the Hamilton Employees Credit Union and the Press Club's use of the property at 50 Jackson Street West"

The Hamilton Press Club has indicated to the Hall of Fame Committee that they do not wish to renew their lease and effective March 31, 1997 vacated the premises. The Press Club is in arrears of realty taxes under the lease agreement with the City in the approximate amount of $10,200.00. They had made a written commitment to the City to pay this outstanding amount by May 1997. In addition, an amount of approximately $ 500 is owing for rent arrears for the period March 15, 1997 to March 31, 1997. However, at this time, the Press Club has advised staff that they have no funds and have terminated operation. Accordingly, the account will be forwarded to the City Law Department who will take appropriate action in an attempt to secure payment of the outstanding debt.

The Hall of Fame Committee has received a request from Terry O'Donnell of Canadian Super Party Inc. who wishes to lease the Press Club area in order to run a bar.

On 1997 April 7 the Canadian Football Hall of Fame and Museum Management Committee met and adopted a resolution to lease 1,406 square feet of space (former Press Club) to Canadian Super Party Inc. (Terry O'Donnell) on terms as authorized in the aforesaid recommendation.

MCJW/hew

c.c. P. Noé Johnson, City Solicitor
A. Ross, Treasurer
J. Smith, Managing Director, Canadian Football Hall of Fame

8.(d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase (Tender) - Sale of City Property
92 Stone Church Road East, Hamilton to Teresa Zampini

RECOMMENDATION:

(a) That an Offer to Purchase (Tender Form), duly executed by Teresa Zampini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 2 on Plan 62R-13294, having a frontage of 15.370 metres (50.42 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 541.8 square metres (5,832.0 square feet) more or less, municipally known as 92 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $51,511 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $5,151.10 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $51,511 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).

Although the property has not been assessed yet, it is estimated that the realty taxes generated will be approximately $3,000 per year.

BACKGROUND:

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) Council has declared the subject land surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 22nd day of January 1997, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

The subject parcel is an irregular shaped, fully serviced building lot fronting on Stone Church Road East, Hamilton. The lot was one (1) of three (3) City lots created as a result of a land exchange with the abutting owner.

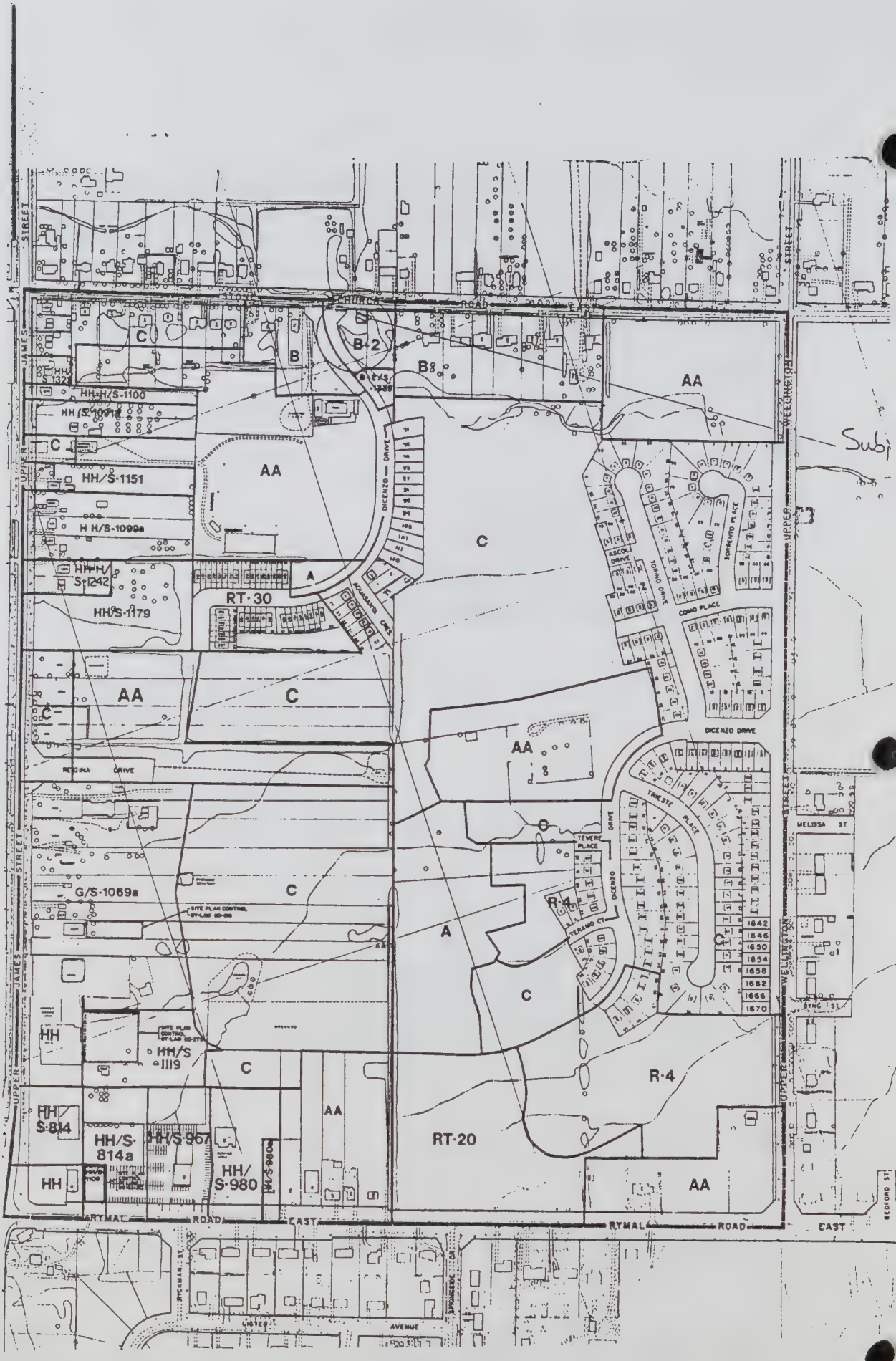
All lots (3) at DiCenzo and Stone Church Road were advertised for sale by public tender for three (3) consecutive weeks (January 13 - 27, 1997) in the Hamilton Spectator; however, only the one (1) lot on DiCenzo Drive received a bid within the reserve price.

Subsequently, the two (2) remaining lots on Stone Church Road East were retendered and again advertised in the Hamilton Spectator the weeks of March 17th, 24th and 31st. On 1997 April 4, the tenders were opened and two (2) bids were received for the subject lot being $48,000 and $51,511, both being unconditional and within the reserve price set for this lot.

We therefore respectfully recommend acceptance of the $51,511 bid received from Teresa Zampini.

KN/nw

c.c. P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing
Allan C. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
L. King, Building Commissioner


UPPER JAMES STREET
RYMAL ROAD EAST
DICENZO DRIVE
WELLINGTON STREET
HH/S-1100
HH/S-1151
HH/S-1099a
HH/S-1242
HH/S-1179
RT-30
G/S-1069a
HH/S-1119
HH/S-814
HH/S-814a
HH/S-967
HH/S-980
RT-20
R-4
AA
A
B
B-2
C
Subj
ASCOLI DRIVE
TORINO DRIVE
SORRENTO PLACE
COMO PLACE
TEVERE PLACE
YANKTE PLACE
TERAMO CT
MELISSA ST
BYNG ST
BEDFORD ST
PICKMAN ST
SPRUCEDALE DR
AVENUE

8.(e.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase (Tender) - Sale of City Property 88 Stone Church Road East, Hamilton to Mark Pillinini

RECOMMENDATION:

(a) That an Offer to Purchase (Tender Form), duly executed by Mark Pillinini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 1 on Plan 62R-13294, being irregular in shape and having a frontage of 9.244 metres (30.0 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 542.7 square metres (5,841.8 square feet) more or less, municipally known as 88 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $46,100 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,610 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $46,100 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).

Although the property has not been assessed yet, it is estimated that the realty taxes generated will be approximately $3,000 per year.

BACKGROUND:

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) Council has declared the subject land surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 22nd day of January 1997, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

The subject parcel is an irregular shaped, fully serviced building lot fronting on Stone Church Road East, Hamilton. The lot was one (1) of three (3) City lots created as a result of a land exchange with the abutting owner.

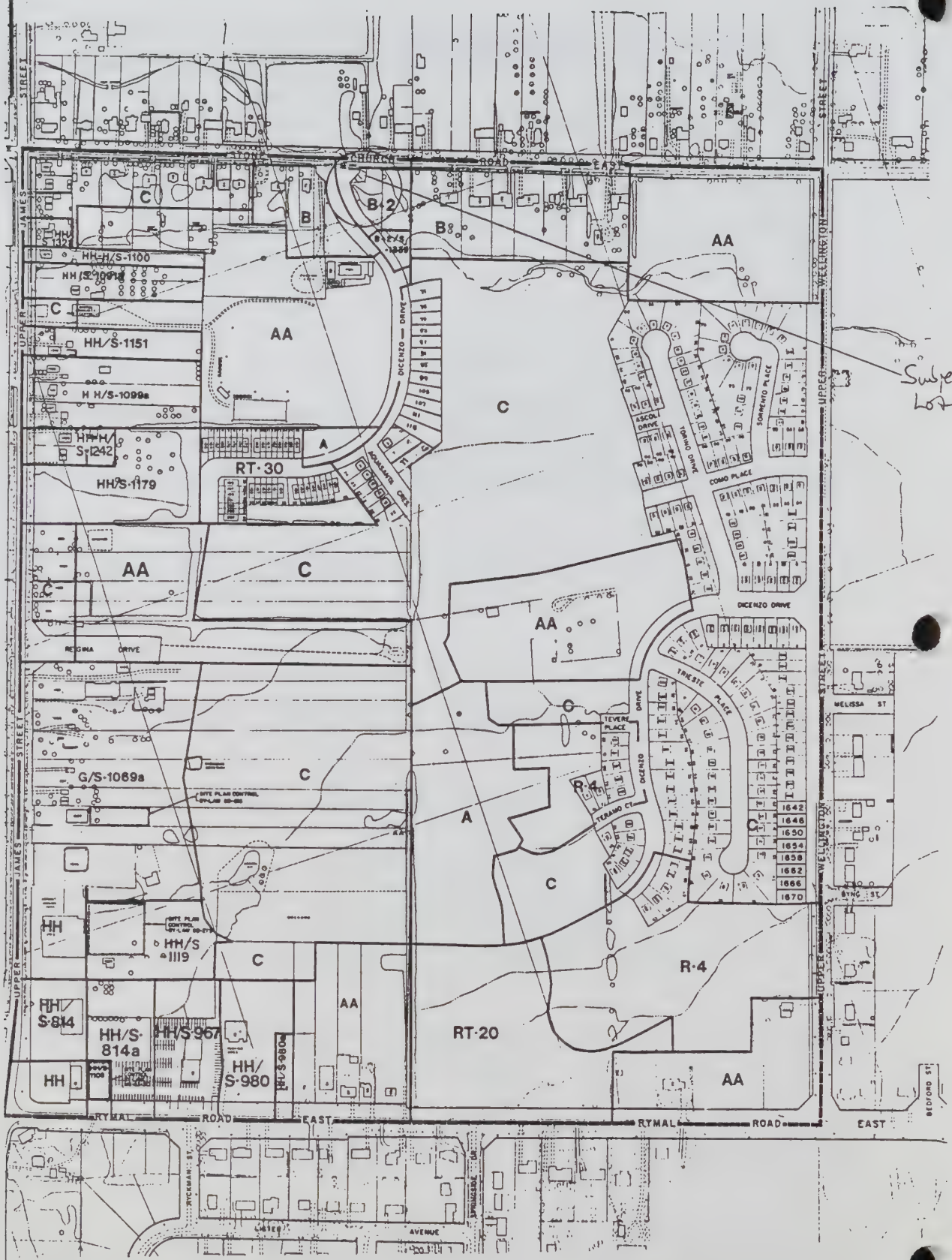
All lots (3) at DiCenzo and Stone Church Road were advertised for sale by public tender for three (3) consecutive weeks (January 13 - 27, 1997) in the Hamilton Spectator; however, only the one (1) lot on DiCenzo Drive received a bid within the reserve price.

Subsequently, the two (2) remaining lots on Stone Church Road East were retendered and again advertised in the Hamilton Spectator the weeks of March 17th, 24th and 31st. On 1997 April 4, the tenders were opened and two (2) bids were received for the subject lot being $45,510 and $46,100, both being unconditional and within the reserve price set for this lot.

We therefore respectfully recommend acceptance of the $46,100 bid received from Mark Pillinini.

KN/nw

c.c. P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing
Allan C. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
L. King, Building Commissioner


Subject
UPPER JAMES STREET
CHURCH ROAD EAST
WELLINGTON STREET
DICENZO DRIVE
AQUASANTA CRES.
ASCOLI DRIVE
TORINO DRIVE
SORRENTO PLACE
COMO PLACE
REGINA DRIVE
TEVERE PLACE
TRIESTE PLACE
TERAMO CT.
MELISSA ST
BYNG ST
BEDFORD ST
RYMAL ROAD EAST
RYCKMAN ST
SPRINGBANK AVENUE
HH-H/S-1100
HH/S-1151
H H/S-1099a
HH/S-1179
G/S-1069a
HH/S-1119
HH/S-814
HH/S-814a
HH/S-967
HH/S-980
RT-30
RT-20
R-4
A
B
B-2
C
AA
1642
1646
1650
1654
1658
1662
1666
1670

8.(f.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - Sale of City Lands being Part of 6 Cascade Street, Hamilton to 2871220 Canada Limited

RECOMMENDATION:

(a) That an Offer to Purchase to be executed by 2871220 Canada Limited (Home Depot) and scheduled to close on or before 1997 September 12, for the lands being part of Parcel "A" and "B" on Registered Plan 1332, formerly in the Township of Saltfleet, now in the City of Hamilton, being the northerly 128.0 metres (420 feet) more or less, of the westerly 4.724 metres (15.5 feet) of Parcel "B" and save and except the most southerly 10.07 metres (33 feet) more or less, of said Parcel "A", and comprising a total area of 644.99 square metres (6,942.87 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a Survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $43,810 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,381 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) the herein Offer be conditional until closing upon the successful conclusion of the Committee of Adjustment minor variance application (A-97:21) and passing of any appeal period applicable hereto and the Purchaser acknowledges that the decision of the Committee of Adjustment of 1997 February 19 has been appealed to the Ontario Municipal Board;

(ii) the purchase price be calculated at the rate of $6.31 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser not less than seven (7) days prior to the date of closing. If the survey determines the area of the subject property to be more or less than 6,942.87 square feet, the purchase price shall be increased or decreased accordingly;

(iii) it shall be required to obtain site plan approval in connection with the subject property and the adjacent development. The Purchaser acknowledges and agrees that grading requirements (i.e. flood control), satisfactory to the Vendor in its capacity as municipality, shall be imposed in respect of the property. The Vendor agrees to provide to the Purchaser an Authority to Enter over its adjacent parcel to the east should same be required to effect such grading requirements;

(iv) the Purchaser shall complete the grading and associated works on the subject property in compliance with the above noted site plan by no later than 1998 December 31;

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997;

(iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $43,810 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).

BACKGROUND:

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) Council has declared the subject land surplus to the requirements of the City in approving Item 8 of the 4th Report of the Finance and Administration Committee on 1997 March 11;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 14th day of April 1997, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value;

The subject property consists of a 15.5 foot x 420 foot strip of land and a one foot reserve being approximately the westerly half of Parcel A and B, Registered Plan 1332 (Hamilton Industrial Estates No. 2).

This parcel of land (Parcel A and B, Registered Plan 1332) was originally set out from the Industrial Park to provide possible servicing and access for the lands to the west fronting on Centennial Parkway North and has continued to be retained by the City until such time as these westerly lands are developed should there be a need for roadway access.

Recently, the City has received a proposal for the development of a 107,000 square foot home warehouse retail business on the 10 acre site fronting on Centennial Parkway North. As part of this proposal the City has also received a request to purchase the lands being Parcel A and B, Registered Plan 1332, for incorporation into the abutting commercial lands for driveway purposes to allow delivery trucks to exit the property onto Cascade Street.

With the introduction of this development which encompasses the last undeveloped land fronting on Centennial Parkway North, the need to retain the subject City parcel is no longer necessary.

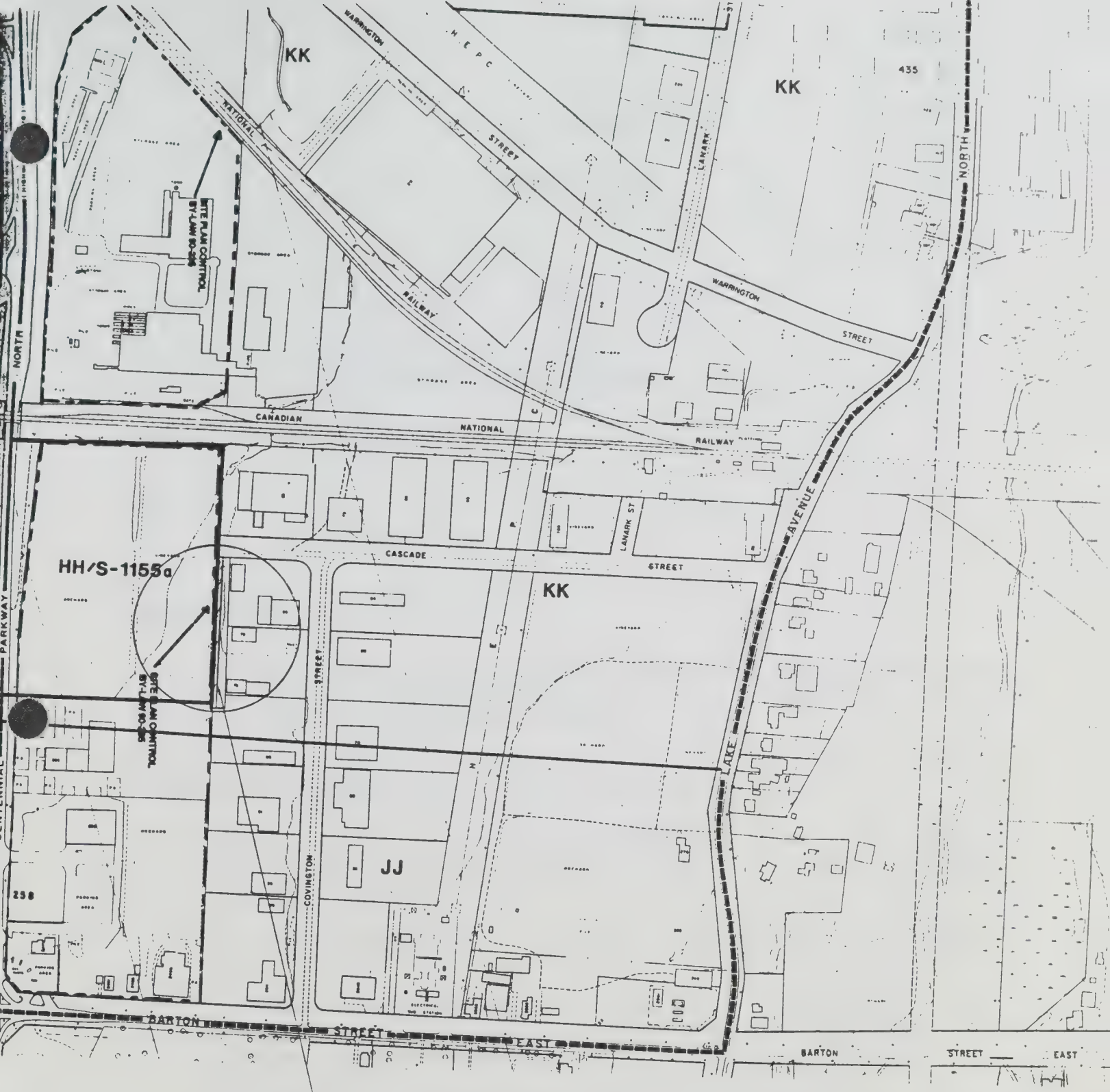
However, as noted above the subject lands dealt with in this recommendation comprise only half of the entire lands being Parcel A and B, Registered Plan 1332. This being due to the fact that the remaining half of these lands are to be sold to the abutting industrial land owners on Covington Street who have for a number of years also expressed an interest in these lands for incorporation into their holdings. Subsequently, negotiations with both the commercial developer and the industrial property owners culminated in an agreement that would allow each abutting owner to purchase half of this City owned parcel of land.

Consequently, we respectfully recommend acceptance of the Offer to Purchase the subject lands received from 2871220 Canada Limited.

KN/nw

c.c. P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing
Allan C. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
E. M. Gill, P. Eng., Senior Director, Roads Division
Attention: E. Chajka, Manager of Road Development
V.J. Abraham, M.C.I.P., Director, Local Planning Division
Attention: J. Sakala

(96R-8)



Subject Land

27	28	28
104	94	54
85	115	114

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

LAKELY

ZONING

Neighbourhood Boundary

0

9.

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 April 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: G.L. Desjarlais
Acting Fire Chief

SUBJECT: Requested Report Regarding the Evening Home Inspection Program

BACKGROUND:

The intent of this report is to address the concerns identified in the letter dated 1997 March 24 from the Hamilton Professional Firefighters Association to Alderman R. Charters, Chairman, Finance and Administration Committee.

Why do we do home inspections? Below are a few of the many valid reasons why the Hamilton Fire Department provides this service to the members of our community.

1. 85% of all fire deaths occur in the home. In Hamilton we had six fire fatalities in 1995, five in 1996 and already two in 1997. As long as there are fire deaths, we can never do too much in terms of public education.

2. 80% of all structural fires across the province of Ontario are accidental. This means there is potential to reduce these types of fires through education.

3. The proposed Fire Protection and Prevention Act (Bill 84) mandates Fire Prevention and Public Education. This part of the bill has gained wide spread support from firefighters' unions across the province.

4. It is a proven fact that Fire Prevention and Public Education saves lives and reduces property damage due to fire. The Ontario Fire Marshal, Fire Chiefs across the country, the National Fire Protection Association, the International Association of Firefighters and many other organizations fully concur and support Fire Prevention and Public Education.

It is our view that if we can save **one** life or stop **one** house from burning, then our program has been a success.

The Hamilton Fire Department is embarking on the evening inspection program because it gives us an opportunity to provide families who work during the day an opportunity to learn how to make their home a safer place to live. Our decision to proceed became very easy once we asked ourselves, "Is it in the best interest of the people we serve?"

In paragraph two of the Association's letter it says, "This "new" program will effectively change the hours of Home Inspections from 9:30 am to 4:00 pm (Monday to Thursday) to 6:30 pm to 8:30 pm (Monday to Thursday or Friday inclusive)." This is not true. We are not changing the hours. The evening inspection times will be in addition to the daytime inspection times.

Please find below the Association's concerns in their letter dated 1997 March 24 and our response to them.

Assocation's concern #1:

> The hours of inspection (6:30 p.m. - 8:30 p.m.) will be viewed by the citizens as an intrusion on an already limited amount of quality family time, especially, given the number two working parent(s) or single parent families.

Management's position:

> Prior to making a decision to go ahead with this service to our community, we did our homework. Contrary to what the Association maintains, the public does **not** view evening inspections as an intrusion on their quality family time, as a matter of fact, we have substantial evidence which indicates this program has been well received in other communities. Our survey results can be made available upon request. It must be remembered that our home inspections are strictly voluntary. The home owner has the option to say yes, no or ask that we come back when it is more convenient. Offering this service to our citizens, particularly when the whole family is at home, is a win win situation.

Association's concern #2:

> The inspecting Firefighters will be exposed to an ever increasing number of confrontational and alcohol related situations as they "KNOCK" on doors up and down the street in the evening hours.

Management's position:

> There is no evidence that we are aware of to support the Association's position that people in our community are more apt to be under the influence of alcohol or are more apt to be confrontational between the hours of 6:30 pm and 8:30 pm. If on the rare occasion our firefighters encounter a confrontational situation, they are trained to remove themselves immediately. This has not been a problem in our community or in any other community we surveyed.

Association's concern #3:

> There is a safety concern as Firefighters will be responding to alarms from residential streets at night all across the City.

Management's position:

> Our drivers take precautions no matter where they respond from during the day or night. However, we addressed our firefighters concerns about responding from a residential area in the dark as well as others in my memo dated 1997 March 7 (copy attached). The Association failed to include this memo with the documentation they submitted to the Finance & Administration Committee. The program start date was changed from 1997 April 21 to 1997 May 19 specifically to ensure our companies would not have to respond to alarms in the dark. I am concerned the Association did not choose to include this memorandum in their submission to Finance & Administration Committee because it plays an important part in the process. This memorandum shows our willingness to address the concerns of our firefighters because we are committed to them as well as to serving the public.

Association's concern #4:

> The In-service Home Inspection Program is an attempt to gain entry into more homes. We may in fact inspect fewer homes because of the inconvenience of the night time hours.

Management's position:

> We will still achieve the base line 25% access to homes under the present daytime inspection program. The new evening program will only build on these numbers and ultimately help more families learn how to make their homes more fire safe and what to do in the unfortunate event of a fire. Again, it must be stressed that the entry rates in other communities conducting evening inspections ranged from 42% to 85%.

In order to address the Association's suggestions, I offer the following:

Firstly, the Association has indicated the day time home inspection program has been a success for over twenty-five years. I disagree; a 25% success rate is not good and we owe it to the people of our community to do better and this evening inspection program is designed to do that.

Secondly, the Association suggests a press release to inform the public that an evening inspection program is available or a firefighter inspecting during the day leave a pamphlet in the mailbox informing them of the evening inspection program. The most successful way to generate positive response from the public is to meet them face to face. There is no question we will gain entry to many more homes by knocking on doors.

The idea of a press release and leaving pamphlets in a home owners mail box is a good one but it should be used to augment the evening inspection program not to replace it.

The Fire Chief is ultimately responsible for delivery of fire protection in a community. Public education is a major component of that responsibility. As long as we continue to have fires and people continue to suffer loss of their loved ones, our efforts must not stop. The Hamilton Fire Department has continued to improve its service to the public through innovative and progressive initiatives and we have enjoyed the support of Council.

This particular service is needed and we have an obligation to teach the public how to be responsible for their own safety. We are challenged as good community citizens to beat apathy and the only way we can do this is to offer, over and over again, high quality fire safety messages.

After one full season of evening inspections, an assessment will take place to measure the success of the program. I firmly believe the majority of firefighters in Hamilton don't mind committing an additional 8 hours per month of their on-duty time to help educate the public.

Finally, I request the continued support of the Finance & Administration Committee and Council in our endeavours to make our community as fire safe as it can be.



GLD/so
attachment

HAMILTON FIRE DEPARTMENT

ADMINISTRATION DIVISION

MEMORANDUM

****

TO: All Personnel

YOUR FILE:

FROM: G. Desjarlais
Acting Chief

OUR FILE:
PHONE: 546-3350

SUBJECT: 1997 Home Inspection Program

DATE: 7 March 1997

I have taken into consideration concerns expressed by a number of department members with regards to home inspections. Accordingly, the 1997 home inspection program will be revised as follows:

1. Hamilton Fire Department personnel will have the option of conducting home inspections in pairs.

2. The portion of the home inspection program involving night inspections will occur as per my memo of February 5, 1997 (Item #3) with the noted change that this portion of the program will not commence until May 19, 1997. Similarly, a future memo will be issued in the fall which will terminate the night inspections prior to the normal termination date of inspections. This change will address the concern with respect to inspecting homes in the dark.

In addition, please note below, for information purposes, the four questions our department will be using to obtain feedback from the public. The responses from the survey will be used to evaluate and adjust our home inspection program in the future.

QUESTIONS FOR HOME INSPECTION PROGRAM PHONE SURVEY

1. Did you find the information contained in the inspection pamphlet provided during the inspection informative? Yes/No Is there any additional information that you would like to see added to the present Hamilton Fire Department information pamphlet? Yes/No If Yes explain.

2. Was the Home Fire Safety Pamphlet reviewed with you? Yes/No

3. Do you test your smoke alarm on a regular basis as per the manufacturer's instructions? Yes/No Do you change your smoke alarm batteries on a yearly basis? Yes/No Do you have more than one smoke alarm in your home? Yes/No If yes, how many?

4. Was your home visited during:
   a) daytime hours (9:30 a.m. - 4:00 p.m.)
   b) night hours (6:30 p.m. - 8:30 p.m.)
   What is your preference for time of inspection and reasons for your preference?

JRW/bjr

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 3

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works & Traffic

SUBJECT: Fleet Management Information System

RECOMMENDATION:

a) That $175,000 be allocated to purchase a Fleet Management Information System, including $130,000 for software and licencing, Marcam Corporation and $45,000 for computer hardware, this being the City of Hamilton's portion of the joint purchase between the City and the Region;

b) That the funds be allocated from the Reserve for Replacement of Mobile Equipment, the money created by forecasting and will not impact the approved 1997 budget allotment;

c) That the tender be awarded to Marcam Corporation, the lowest estimated acquisition cost.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Reserve for Mobile Equipment has sufficient funds within its 1997 vehicle replacement allotment.

Fleet Services will require additional staff to perform manual transactions to the accounting system should the automated system be unsupportable. Centralized data entry is no longer available. Positions were declared redundant with the implementation of the existing Fleet Management System.

BACKGROUND:

The current Fleet Management System used by Fleet Services is based on a system originally developed by the Region in **1986** and has provided information that has been effectively used to enable a number of cost-saving measures. However, the current system is obsolete and no longer technically supportable. It is based on the SCO-Unix computer operating system and Information Systems advised us in 1995 that they would no longer have the staff expertise to support the Unix environment or ensure ongoing maintenance of the FMIS as of **June 1996.**

City of Hamilton, Fleet Services, subsequently formed a joint Project Team with Region of Hamilton-Wentworth, Fleet Services and Information Systems to initiate the process of selecting a replacement Fleet Management System.

The FMIS Project Team reviewed all the activities and functions of Fleet Management including data entry related to vehicle information, work order processing, employee information, inventory management, and the maintenance of financial accounting information.

The goal of the project team was to achieve the following desired objectives:

- To meet user needs and requirements.
- To phase out the dependence on the current fragile Unix operating environment.
- To improve the Fleet Management Process.
- To provide an audit trail for all transactions.
- To provide management with accurate, current and timely information for better planning and decision making through improvements in reporting capabilities.
- To ensure the collection, entry, editing and manipulation of Fleet Management data be as paperless and as simple as possible, including remote entry and access, while recognizing all Corporate audit and security requirements.

Many of the fundamental decisions made by Fleet Services are based on information provided by the various reports produced by the existing FMIS. Recent examples of innovative changes in accounting procedures within the insurance, depreciation, operating expenses and tire costs have resulted in approximately a million dollars annual savings per year in the Fleet Services operating budget. The various reports provide critical information in the decision making process in long and short term strategic planning for the various user groups. Providing user groups with the most economical fleet allows them to compete with the private and public sector.

BACKGROUND - Cont'd....

Strict accounting procedures are required to meet the Corporate standards and to provide customers with quick and accurate invoicing and cost recovery. The failure of the system would require manual procedures and additional staff hours to provide the mandated level of service.

A letter of interest was sent out via the internet and advertised in The Spectator and Business Magazines. From the various forms of advertising and the letters of interest, eleven responses were received. From the eleven perspective suppliers, the project team short listed the suppliers to two. Only the two remaining vendors had the ability to supply a current windows environment and complete package to satisfy the requirements set out by the joint project team.

A Request for Proposal was sent out to the two qualified vendors of Marcam Corp. and Control Systems Inc. Each vendor was given the opportunity to make a presentation as well as respond to the Request for Proposal. After the presentations, only Marcam Corp. made a formal response to the Request for Proposal. Marcam Corp. scored a ninety seven percent rating in the categories of operational, technical and functionality.

CG

c.c. J. Hindson, Director of Information Systems, Corporation, City of Hamilton
L. Gohier, Director of Water & Waste Water, Region of Hamilton-Wentworth
L. Barker, FMIS, Project Coordinator

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 April 22
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the special meeting held on Tuesday, 1997 March 25th

(ii) Minutes of the regular meeting held on Tuesday, 1997 April 1st

B. TREASURER

(i) Supply and Delivery of Annual Supplies for 1997

(ii) Funding - 40th Anniversary - Canusa Games Opening Ceremony

C. CITY SOLICITOR

(i) By-law to amend By-law No. 9430 to release from expropriation those lands at 206 Dumbarton

(ii) Sick Leave By-law

(iii) By-Law - Culture and Recreation Department User Fees for 1997

(iv) By-law - Planning Fees Tariff

(v) By-law - Hamilton Fire Department User Fees

(vi) Amendment to By-law No. 84-191 respecting the Keeping of Animals to obtain an exemption for exotic animals

D. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS

Leasing Supplier for Microcomputer Workstations and Printers (INF 97-108). (copy to follow)

E. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) Replacement of Two (2) Truck Chassis with Refuse Packers, Units 9125 and 9126, Fleet Services

(ii) Replacement of One (1) Aerial Device with Chip Box, Unit 9630, Fleet Services

F. CITY CLERK

By-law re: Human Rights Code

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

A. (i)

Tuesday, 1997 March 25
4:30 o'clock p.m.
Room 233, City Hall

A Special Meeting of the Finance and Administration Committee was held.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss

Regrets: Alderman V. Agro - vacation
Alderman T. Anderson - other business

Also present: Alderman F. D'Amico
Alderman W. McCulloch
Alderman T. Jackson
Alderman M. Caplan
J. Pavelka, Chief Administrative Officer
N. Catalano, Director of Economic Development
A. Ross, Treasurer
J. Schatz, City Clerk
C. Mascarenhas, Treasury
L. Farr, Law
R. Male, Regional Finance Department
P. Gibble, City Auditor, McGillivray and Partners
Susan K. Reeder, Secretary

A G E N D A

1. DELEGATION - GREY CUP '96 ORGANIZING COMMITTEE - GREY CUP

A delegation from Grey Cup 1996 Hamilton Inc., consisting of the following, appeared before a special meeting of the Finance and Administration Committee:

Marnie Paikin and Ron Foxcroft, Co-Chairs
Don Bowman, Executive Director
Barry Frieday, Vice-Chair, Administration and Finance
Gord Vignault, Grey Cup Office
Marcel Mongeon

The Committee was in receipt of correspondence from the Co-Chairs of Grey Cup 1996 Hamilton Inc. dated 1997 March 21st accompanied by financial documentation.

Questions ensued from the Committee respecting the time lines when it was known that ticket sales were not meeting expectations and that a financial loss would occur.
In this regard, Ms. Paikin outlined the chronology of events surrounding the ticket sales. Discussion also ensued with respect to the C.F.L. arrangements with Tim Horton's on the sale of tickets.

As indicated in the Co-Chairs' correspondence there is an outstanding issue with the C.F.L. where they claim that an additional $107,000 is owed to them. The Grey Cup Festival officials stated that they firmly believe this claim to be without substance. This amount is representative of a portion of the revenues realized by tent sales to Corporations for hospitality and festival purposes. The dispute with the C.F.L. is their view that these tent revenues are Game sponsorships and thus payable to the C.F.L.

With respect to ticket sales, the Co-Chairs indicated that there had been an earlier commitment by Toronto to purchase 5,000 tickets. While these tickets were not blocked for them, it did lend confidence to the organizers at the progress of ticket sales. It was only closer to the date, that these ticket sales did not materialize.

Questions ensued with respect to the expectations for completion of the audit, and Mr. Gibble of McGillivray and Partners indicated that the work is almost completed, and that he does not anticipate any factors to change the indicated shortfall now being presented.

Some discussion ensued with marketing, and Ms. Paikin indicated that the marketing was done with 5 local firms working as a team. The concept is new to the marketing agencies, but was done to allow as many local firms as possible to participate, and that this team approach worked quite well.

Reference was given to possible reasons for poor ticket sales, and issues such as the difficulties with the C.F.L. and Toronto residents not coming to the Game were suggested.

It was indicated that the Grey Cup Festival officials have attempted to reduce the C.F.L.'s guarantee, but that the C.F.L. has refused. It was indicated that some success has been realized in negotiating other matters with the C.F.L.

Throughout the discussions, considerable praise was given to the Grey Cup Festival organizers for their work and it was expressed that the Festival events themselves were very exciting and successful.

It was moved and seconded, "That the issue of the Grey Cup shortfall be tabled until such time as the audited statements are completed". **MOTION LOST.**

The Committee then approved the following for presentation to City Council:

(a) That a further gross amount of $151,077., less adjustments of $52,315.45 for a net amount of $98,761.55, be advanced to Grey Cup 1996 Hamilton Inc. for payment of all outstanding debts incurred in conjunction with the hosting of the 1996 Grey Cup Game, and be charged to Account #CF 259555020; and,

(b) That no further advances be made by the City of Hamilton in respect of the 1996 Grey Cup Event.

2. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 March 25

Tuesday, 1997 April 1
1:30 o'clock p.m.
Room 233, City Hall

A. (ii)

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss

Regrets: Alderman V. Agro - vacation
Alderman T. Anderson - other business

Also present: Alderman G. Copps
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
Acting Fire Chief Desjarlais
D. Vyce, Director of Property
M. Watson, Real Estate
P. Baker, Hamilton Parking Authority
B. Malone, Public Works and Traffic
Susan K. Reeder, Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

CC. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC -City of Hamilton -ats- Agnes Pavic; Ontario Court (General Division) Court Action #2147/93

(a) That the City resolve Ontario Court (General Division) Action # 2147/93 by the payment to the Plaintiff, Agnes Pavic, of the sum of $6,440.43 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff, Agnes Pavic, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 2147/93 be dismissed without costs.

DD. TREASURER - Business Tax Claim - City v. Dean Maddeaux t/a Steam Doggies

That the City accept the defendant's offer of $500 to settle the business tax claim against Dean Maddeaux t/a Steam Doggies.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 March 4th, and approved these minutes as circulated.

B. **CITY SOLICITOR - Assignment of Westcoast Gas Services Inc. Gas Purchase Contract to Engage Energy Canada, L.P.**

The Committee was in receipt of a report from the City Solicitor dated 1997 March 21, respecting the above noted matter.

The Committee approved the following:

(a) That the City consent to the assignment of the gas purchase contracted between Westcoast Gas Services Inc. and the City to Engage Energy Canada, L. P.; and,

(b) That the Mayor and the City Clerk be authorized to execute the Assignment document.

C. **COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1997 March 21st**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1997 March 21, respecting the above noted matter.

The Committee approved the following:

That the listing of Appointments to and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1997 March 21, attached herewith and marked Appendix "A", be approved.

D. **TREASURER - Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears**

The Committee was in receipt of a report from the Treasurer dated 1997 March 25, respecting the above noted matter and approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

21 Head Street	625 Greenhill Avenue
221 Barton Street	14 Walnut Street North
540 Upper James Street	19 Rawlings Avenue
726 Main Street East	667 King Street East
73 Garfield Avenue South	1063 Barton Street East
647 King Street East	1632 Upper James Street
468 Cumberland Avenue	618 Parkdale Avenue North
321 King Street East	1837 Main Street West
320 King Street East	315 King Street East
216 Dundurn Street South	

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

E. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 March 27, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Chief Administrative Officer and Director of Property - 467 Charlton Avenue East (Sportsman's Lanes) - report dated 1997 March 4th

(b) Information Report - City Clerk - St. Elizabeth Villa Inquest Recommendations - report dated 1997 February 27th

(c) Correspondence - Conference Co-ordinator, Ministry of Municipal Affairs and Housing - Conference on Thursday, 1997 April 10th "Change: It's Here - It's Now" -letter dated 1997 March 4th

(d) Information Report - Acting Fire Chief - Requested Information Report respecting Bill 84 - The Fire Prevention and Protection Act - report dated 1997 March 7th

(e) Information Report - City Solicitor - Criminality of Lap Dancing - report dated March 13, 1997

(f) Correspondence - Rail Ways to the Future Committee - letter dated 1997 March 11th

(g) Correspondence - City of Toronto - Implications of Provincial Disentanglement Proposals - Technical Amendments - letter dated 1997 March 10th

(h) Correspondence - City of Toronto - Bill 84 - Fire Protection and Prevention Act, 1996 - letter dated 1997 March 6th

(i) Correspondence - Town of Belle River - 1997 Municipal Elections - letter dated 1997 February 28th

(j) Information Report - City Solicitor - Bill 122 - "An Act to reduce red tape by amending certain statutes administered by or affecting the Ministry of the Attorney General or the Ministry of the Solicitor General and by making complementary amendments to other statutes" - report dated 1997 March 11th

(k) Information Report - City Clerk - Bill 86 - Revised Municipal Elections Act - report dated 1997 March 26th

(l) Correspondence - Minister of Finance - response to the City Council resolution regarding the assessment of Jackson Square

3. **TREASURER - Taxation application processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statues of Ontario, 1990**

The Committee was in receipt of a report from the Treasurer dated 1997 March 21, respecting the above noted matter.

The Committee approved the following:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $23,001.42 be approved and charged to Account No. CH55307-24104 Tax Remissions.

4. **TREASURER, CHIEF ADMINISTRATIVE OFFICER, COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - Municipal Trunked Radio Project: Project Status and Financing arrangement**

The Committee was in receipt of a joint report from the Treasurer, Chief Administrative Officer and Commissioner of Public Works and Traffic dated 1997 March 24, respecting the above noted matter.

The Committee approved the following:

(a) That the City Treasurer be authorized to provide 1997 Current Budget appropriation under a separate Centre as Municipal Trunked Radio Project (Financial Section) in the total amount of $340,420 for the following departments by correspondingly reducing the provision for debt charges in 1997:

Fire Department	$260,400
Public Works and Traffic Department - Traffic	18,980
Public Works and Traffic Department - Streets	58,630
Clerk's	2,410
	$340,420

(b) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board to reallocate the excess debenture proceeds of $2,000,000 from Public Safety Trunking Radio, Account Centre No. CF 489151023 (O.M.B. No. E910209 dated June 21, 1991 and City By-Law No. 91-105 for $2,500,000), to 1995 Roads and Sidewalk Reconstruction Program -Local Roads - Phase I, Account Centre No. CF 529542001 (City By-Law Nos. 95-090 and 95-216); and,

(c) That the balance of the debenture authority in the amount of $500,000 be cancelled and that the actual expenditures of $130,230 and $130,000 for the July to December 1996 Lease and Administration and Operations costs of the Municipal Trunked Radio Project to an estimated total of $260,230, Account Centre No. CF 489151023 for the above account be financed by the Reserve for Debt Charges Account Centre No. CH 00108; and,

(d) That the City Treasurer be authorized to continue to pay to the Regional Municipality of Hamilton-Wentworth in relation to a sale/lease back agreement on behalf of the City of Hamilton for the annual lease cost of Municipal Trunked Radio Project; and,

(e) That the provision for the additional cost of the Municipal Public Safety Trunking Radio System in 1999 for $420,000 (Project No. 55.0) be deleted from the plan of 1997-2006 Capital Budget Programme; and,

(f) That the appropriate Department/Division be directed to absorb from their overall budget the shortfall of the annual lease cost of their administration and operations budget, noted below, in relation to their Radio Trunking System:

Fire	$33,672.24
Traffic	3,880.35
Public Works	2,148.25
Clerk's	1,055.29
	$40,756.13

(g) That staff be authorized to participate in the Municipal Trunked Radio Project Steering Committee (a joint Committee of four, Regional Users, City of Hamilton Users, Other Area Municipality Users and the Regional Chief Administrative Officer's office).

5. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(a) Placement of Plaque in Lobby of City Hall Hamilton Sesquicentennial Celebration Inc.

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 March 26, respecting the above noted matter, and approved the following:

That the City accept with thanks the donation from Hamilton Sesquicentennial Celebrations Inc. of an engraved stone tablet and plaque commemorating the City's year long sesquicentennial celebration which took place during 1996 and that the donation be displayed on an inside marble pillar on the first floor east side of City Hall at the pleasure of Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".

(b) Award of Contract - City Hall - Replacement of Existing Chillers - Canada/Ontario Infrastructure Works Program - M1610112

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 March 24, respecting the above noted matter, and approved the following:

(a) That approval be given to issue a purchase order in the amount of $159,344 inclusive of GST ($9,699.20) to Trane Canada Company for the supply, delivery and commissioning of a 500 ton, non-CFC centrifugal chiller for Hamilton City Hall, this being the lowest acceptable tender received in accordance with the specifications (Ref: C15-3-97) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That this project be funded through the Canada/Ontario Infrastructure Works Program, Account CF 809453012 City Hall - Replacement of Existing Chillers.

(c) **Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property - 36 Newlands Avenue (Car Park #4B); 56 Kenilworth Avenue North (Car Park #30); 1368 Barton Street East (Car Park #58) - referred from City Council**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 March 25, respecting the above noted matter.

Alderman Wilson requested that this matter be tabled until the 1997 April 22nd meeting in order that he can receive comments back from his constituents respecting these properties. The Committee agreed to table this report until the 1997 April 22nd meeting.

ADDED INFORMATION - SALE OF SURPLUS PROPERTY - 6 CASCADE STREET

Mike Watson of the Real Estate Division spoke to the Committee with respect to the above-noted property. Further to the discussion at the 1997 March 4th Committee meeting, he has been able to resolve the land sale issue with all parties involved, wherein all parties will have an opportunity to purchase of the above-noted land for their use.

6. **ACTING FIRE CHIEF**

(a) **Purchase of Three (3) 4 Cylinder, 4 Door Sedans and One (1) Full Size Cargo Van Style Body Truck**

The Committee was in receipt of a report from the Acting Fire Chief dated 1997 March 21, respecting the above noted matter and approved the following:

(a) That a purchase order be issued to Eastgate Ford Sales, Hamilton, Ontario, in an amount not to exceed $83,256.55 including all applicable taxes, for the supply and delivery of three (3) 4 Cylinder, 4 Door Sedans, Ford Escorts, and one (1) full size Cargo Van Style Body Truck, Ford Econoline, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications; and,

(b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle/Apparatus Replacement.

(b) **Purchase of Three (3) Commercial Type Dual Purpose Vehicles**

The Committee was in receipt of a report from the Acting Fire Chief dated 1997 March 21, respecting the above noted matter and approved the following:

(a) That a purchase order be issued to Hamilton Motor Products, Hamilton, Ontario, in an amount not to exceed $108,969.87 including all applicable taxes, for the supply and delivery of three (3) Commercial type dual purpose vehicles, G.M.C. Suburbans, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications; and,

(b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle/Apparatus Replacement.

7. ALDERMAN D. WILSON - Provincial Downloading - A.M.O. Negotiations with the Province

No discussion ensued on this matter.

9. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 April 1

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Arthur Thomas	I	Lieutenant	Fire	Replacing Mr. A. Tapp – transferred, Aug. 14/95	$57,934.32	Dec. 01/96

Prepared March 21, 1997

Status –

Internal – I External – E

Appendix "A" referred to in Section 4 of the SEVENTH Report of the Finance and Administration Committee for 1997

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Josie D'Allessandro	Administrative Assistant II	Public Works & Traffic Services	Terminated	13 years, 4 months	Feb. 21/97
Ms. Linda Persichini	Box Office Supervisor	H.E.C.F.I.	Deceased	8 years, 4 months	Feb. 14/97

Prepared March 21, 1997

Glossary of Terms

Terminated – long term disability – discharge – downsizing – redundant	Resigned – personal betterment – personal reasons

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: April 4, 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer of the City of Hamilton

SUBJECT: Supply and Delivery of Annual Supplies for 1997

RECOMMENDATION: That purchase orders be issued for the supply and delivery of Annual Supplies for various City Departments as and when required during 1997, in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

A. AGGREGATES

	Supplier	Material	Unit Pricing Tractor Trailer	Unit Pricing Tri-Axle Tandem
1.	Cayuga Materials	Granular 'A'	$ 7.34	$ 8.34
2.	Lakeview Sand & Gravel	Granular 'A'	7.60	9.60
3.	Taro Aggregates Ltd.	19mm Clear	8.50	8.50
4.	TCG Materials	9.5mm Chips Washed	11.45	12.70
5.	Taro Aggregates Ltd.	53mm Clear	8.50	9.50
6.	Redland Quarries	#8 Dust Suppressed Grits	28.60	29.10
7.	Flamboro Quarries	Athlete Field Lime	14.95	15.55
8.	Cayuga Materials	19mm Crusher Run	7.34	8.34
9.	Redland Quarries	19mm Crusher Run	7.65	8.15
10.	Cayuga Materials	53mm Crusher Run	7.34	8.34
11.	Vinemount Quarries	Rubble Stone	9.75	10.25
12.	Vinemount Quarries	75-200mm Gabion Stone	11.00	11.50
13.	Cayuga Materials	9.5mm Screenings	7.66	8.66
14.	Taro Aggregates Ltd.	9.5mm Screenings	8.00	8.00
15.	Redland Quarries	9.5mm Screenings	8.00	8.50

* Note that all prices are on a per tonne basis. GST and PST extra where applicable.

B. MIXED PORTLAND CEMENT CONCRETE

Sidewalk, Curb & Roadway Concrete	Delivered	Picked Up
Dufferin Concrete Products	$ 99.55	$ 92.00
Lafarge Construction Material	96.25	79.00
CBM Concrete	103.00	103.00
Unshrinkable Fill		
Dufferin Concrete Products	$52.00	$ 45.00
CBM Concrete	48.00	no quote
Lafarge Construction Material	52.50	50.00

* Note that all prices are on a cubic metre basis.

C. ASPHALTIC CONCRETE AND BITUMINOUS MATERIALS

Asphalt Surface Course (H.M.3)		
Capital Paving	picked up	$ 40.55
Lafarge Construction Materials	picked up	43.25
Cayuga Materials & Construction Co. Ltd.	picked up	44.00
Asphalt Binder Course (H.M.5)		
Cayuga Materials & Construction Co. Ltd.	picked up	$ 42.50
Lafarge Construction Materials	picked up	43.00
Capital Paving	picked up	44.50
HLS030 Hot Lay, HL-3(HS) Asphalt		
Cayuga Materials & Construction Co. Ltd	picked up	$ 43.00
Capital Paving	picked up	44.75
Lafarge Construction Materials	picked up	43.50
Cationic Asphalt Emulsions CRS-2		
Norjohn Ltd.		0.3075
Additional Cost to Supply a Tank for Duration of Contract		
Norjohn Ltd.		No Charge

Cationic Asphalt Emulsions CRS-2			
Norjohn Ltd.	CRS-2	delivered	0.3075
McAsphalt Ltd.	CRS-2 Latex Modified	delivered	0.3600

C. ASPHALTIC CONCRETE AND BITUMINOUS MATERIALS - continued

Hot Liquid Asphalt			
Lafarge Construction Materials		picked up	$ 5.00L
Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000			
TCG Materials		picked up	$ 56.95
Innovative Municipal		picked up	45.00
Cayuga Materials	QPR2000 Fine	picked up	68.00
Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000			
TCG Materials, Brantford		delivered	$ 59.95
Innovative Municipal		delivered	49.95
Cayuga Materials	QPR2000 Fine	delivered	75.00
Crack Sealing Material			
McAsphalt Industries Ltd		delivered	.2794/lb.

* Note that all prices are on a per tonne basis unless otherwise noted.

D. CHEMICALS

Da-lee Dust Control		
Flake Calcium Chloride	delivered	$0.4300
Liquid Calcium Chloride	delivered	$0.1320

* Note that all prices are per KG.
* GST and PST extra where applicable in all sections.

Allen C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
Sufficient appropriations are available in the 1997 current budget and the 1997 portion of the capital budget to purchase those annual supplies required for regular maintenance activities and the undertaking of specific projects with each department.

BACKGROUND:
On an annual basis, the City of Hamilton Purchasing Department undertakes co-operative tenders for various commodities utilized during the year. All tenders were advertised resulting in the receipt of 32 various bids. The various vendors were chosen based on the lowest price and/or their proximity to the job site. These vendors were selected in conjunction with the user departments

These commodities are used in the day-to-day operations of various park and road maintenance.

In the past each individual department would submit a report to council recommending the awarding of these annual supplies. This report combines all the individual departments requirements so that only one report is necessary each year.

The following are the approximate dollars that were spent in 1996 for each commodity:

A. AGGREGATES	$400,000.00
B. MIXED PORTLAND CEMENT CONCRETE	$385,000.00
C. ASPHALTIC CONCRETE AND BITUMINOUS MATERIALS	$690,000.00
D. CHEMICALS	$ 40,000.00

CR/CFE
/ts

B. (ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1997 April 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing contribution to the 1997 Opening Ceremonies for the 40th CANUSA Games in Hamilton, 1997 August 8

RECOMMENDATION:

a) That the contribution in the amount of $16,100 to assist in defraying the costs of the special Opening Ceremonies celebrating the 40th CANUSA Games in Hamilton, 1997 August 8 be financed from the Hosting of Conferences with Municipal Subject Content Account Ch 54307 80040.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1997 budget for the account noted above is $20,000. At this point, there are no other planned use of these budgeted funds.

BACKGROUND:

Parks and Recreation Committee at their meeting 1997 April 22 will be considering a report from the Culture and Recreation Department requesting a City of Hamilton contribution to assist in defraying the costs of the 40th Anniversary of the CANUSA Games. Attached is a copy of the report to the Parks and Recreation Committee.

If the Parks and Recreation Committee agree to this contribution, there are budgeted funds within the Hosting of Conferences with Municipal Subject Content account, which is the most appropriate account for this type of event and contribution.

att'd

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 17

REPORT TO: Mr. Kevin C. Christenson, Secretary
Parks and Recreation Committee

FROM: R.L. Fair, Director
Culture and Recreation Department

SUBJECT: CANUSA GAMES -HAMILTON BRANCH - REQUEST FOR SUPPORT FOR 40TH. ANNIVERSARY GAMES

RECOMMENDATION:

a) That City Council express its congratulations to the Executive and volunteers of the Canusa Games on the occasion of the 40th. anniversary of this international youth sports exchange between the Cities of Hamilton and Flint, Michigan.

b) That Council provide one time funding support in the amount of $16,100 for additional expenses anticipated for the mounting of a special 40th. anniversary opening ceremonies to be held on 8 August 1997.

c) That the Finance and Administration Committee be requested to identify a source of funding for this one time grant.

d) That the Director of Culture and Recreation be authorized to waive green fees for the use of Chedoke Civic Golf Course, Beddoe course by Canusa Games - Hamilton Branch for the purposes of holding a fund-raising golf tournament.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

I am in receipt of correspondence from officials of Canusa requesting funding support from the City in two ways as indicated in the report. These letters are attached as Schedule 1-1 and Schedule 1-2.

The annual operating budget of the Canusa Games - Hamilton Branch for 1997 is $163,500 exclusive of the costs of the 40th. Anniversary Opening Ceremonies. The 1997 budget is appended as Schedule 2. The City, through the Department of Culture and Recreation, provides annual base support of $50,000., or one third of the operating budget of over $160,000.

The grant for the Opening Ceremonies will help to offset costs of rental of facilities, entertainment and other costs. The one time funding support is about one third of the projected budget for their celebrations. The event budget (Schedule 3) outlines only proposed allocation of City funds but I am aware that they have set a budget of of about $45,000 of which $30,000 is to provide anniversary momentoes to all 1,600 athletes plus volunteers. Only $1,400 is being contributed to this expense from the City. The remainder will be raised from the community.

The organization committee has had several meetings with Mayor Morrow and additional elements celebrating the Twin City relationship between Hamilton and Flint will also be emphasized.

Finally, the City has, for a number of years, provided discounts on the basis of buy 2 get 1 free for green fees to enable Canusa to operate its annual fund-raising event. In honour of the 40th. Anniversary ,they are requesting the fees be waived in total in order to assist in offsetting their share of additional costs of the anniversary.

This foregoing of revenue would amount to $3,120 based on 120 golfers.

In total, these recommendations would bring the total City contribution to the 40th. Anniversary Games to $19,220. This is a one time contribution beyond the base annual funding of $50,000.

BACKGROUND:

For the past forty years, the Canusa Games has provided an opportunity for the children and youth from Hamilton and Flint to come together on an annual basis in the spirit sport and fellowship. In addition to the participants the movement provides an opportunity for hundreds of adult volunteers to contribute to the celebration of sport.

The Games, also, provide an opportunity for youth from both countries to learn about each others culture and heritage. The billeting of the athletes in the host community facilitates this interaction. Over 1,600 young people, evenly split between the cities participate in these Games on an annual basis.

A historical overview of the Canusa Games is appended as Schedule 4.

cc: Mayor Bob Morrow
A. C. Ross, City Treasurer
Susan Reeder, Secretary, Finance and Administration Committee

Schedule 1-1

CanusaGames Hamilton Branch

71 Main St. W., Hamilton, Ontario L8N 3T4 (905) 546-2537 Fax (905) 546-2338

Ross Fair
Director
Culture & Recreation Department
City of Hamilton

Dear Ross:

At a recent Meeting of the Flint and Hamilton Committees of the CANUSA Games, it was decided that the 1997 Games in Hamilton would not in fact, be a four day event as originally planned. Instead the 1997 CANUSA Games in Hamilton will be August 8, 9 & 10, with the Flint participants arriving on Friday.

Due to this change, the Hamilton Committee members promptly revised the 1997 budget as well as the plans for the CANUSA Games. Please find attached, a copy of the revised 1997 CANUSA Games budget.

The revised plans do include: an Opening and Closing Ceremonies; a day and a half of sporting competitions; and special celebratory events to mark this commemorative milestone of forty years of tradition. The plans no longer include: billeting for an extra day; providing a meal for arriving participants; or an extra day of competition.

Enclosed is also the revised copy of the One-Time Grant Proposal to the City of Hamilton, which requests from CANUSA Games Committee, the funds to make this years CANUSA celebration a commemorative one of the 40 years of tradition 1997 represents. As outlined, the CANUSA Games Committee would like to make the Opening Ceremonies a great celebration for the participants, parents and volunteers from past and present and would appreciate your assistance in doing so. Once again, if these funds are not made available to CANUSA Games, the CANUSA Committee will cut back the events until they are within the allotted funds.

If there is any other information which you require, or if I can be of any assistance, please contact me at 546-2537 in the CANUSA Office.

Simone Miles, Administrator
CANUSA Games - Hamilton Branch

A celebration of memories, traditions & friendships!
40th Anniversary 1997

Schedule 1-2

CanusaGames Hamilton Branch

71 Main St. W., Hamilton, Ontario L8N 3T4 (905) 546-2537 Fax (905) 546-2338

CULTURE & RECREATION
DATE APR 0 3 1997

1997 April 1

Mr. Ross Fair, Director
Culture & Recreation Department
71 Main Street, West
Hamilton, Ontario L8N 3T4

Dear Mr. Fair:

As you know, the 40th CANUSA Games are quickly approaching. In order to raise additional funds to cover the costs of this years 40th anniversary event, CANUSA Games will be hosting our 20th annual Fundraising Golf Tournament at Chedoke Civic Golf Club. This year's Tournament will be held Saturday, June 21, 1997, thanks to your assistance. Tee-offs begin at 10:30 a.m. A Bar-B-Q Dinner and donated prize are received by all who play. The cost is $80.00 / golfer.

In the past, the Culture & Recreation Department has either covered the cost of the Green Fees entirely, for this Tournament of 120 golfers or partially subsidized this expenditure on our behalf. I am requesting at this time, that the Green Fees of this year's CANUSA Games Fundraising Tournament be once again, waved to assist the Board of Directors to cover the additional costs incurred with the anniversary event.

I trust that you will give attention to this matter. I look forward to your reply as well as your participation in the tournament if you are able to take the time.

Sincerely,

Dave Glover, Director
CANUSA Games - Hamilton Branch
Chairman, Fundraising Golf Tournament

DG/sm

cc *Councillor Fred Eisenberger, Chairman Parks & Recreation Committee*
Greg Maychak, Liaison, Culture & Recreation Department
CANUSA Games Board of Directors

A celebration of memories, traditions & friendships!
40th Anniversary 1997

Schedule 2

CANUSA GAMES 1997 BUDGET

Revised March 22, 1997.

REVENUES		
City of Hamilton Grant	50,000.	50,000.
Registrations @ $35.00	38,500.	38,500.
Fundraising		
Bingo	20,000.	
Nevada	5,000.	
Super Bingo Jackpot	10,000.	
Sundry Sales & Miscellaneous	2,000.	
Corporate Donations	20,000.	
Golf Tournament	4,000.	
Nevada	2,000.	
50/50	8,000.	
Programs	4,000.	
		75,000.
TOTAL REVENUES		***$163,500.00***
EXPENDITURES:		
Office Supplies		
Phones	900.	
Photocopies	2,000.	
Mail	2,000.	
Print Shop (Manuals)	750.	
Miscellanous Supplies	500.	
		6,150.
Promotion		
Program	2,000.	
Open/Close Ceremonies	3,500.	
Spectator Ads	1,800.	
Spec Tel	500.	
Press Conferences (2)	500.	
Misc. (inc. Flint Golf Tourn)	500.	
Banner	1,350	
		10,150.
Fundraising		2,000.
Sales Items		5,000.
Transportation		1,700.
Meetings		
Flint Standardization	800.	
Reg. Board Meetings (12 @ 50)	600.	
Co-Ordinator & Coach Mtgs	200.	
CANUSA Weekend Mtgs (breakfast)	800.	
40th Meetings	500.	
		2,900.
Insurance		7,500.

Auditors		1,500.
Hamilton Headquarters		1,500.
Int. Games Conference		4,000.
Facilities		
Major (Mohawk Sports Park, etc.)		
Minor (Schools, Recreation Centres)		
Outside (McMaster, Redeemer)		
		12,500.
Co-Ordinators Appreciation Events		
CANUSA weekend Sat. Night	5,000.	
Hospitality	2,000.	
		7,000.
Apparel		
Co-Ordinator & Executive Shirts	4,900.	
Executive Uniforms	1,000.	
Competitor T-Shirts	11,000.	
coaches shirts	2,000.	
		18,900.
Partners Program		2,000.
Torch Run		500.
Employee Training		4,500.
Equipment		5,500.
Wages & Benefits		35,000.
Bank Charges		200.
Executive Momentos		2,000.
Competitors Momentos		30,000.
Miscellaneous		3,000.
TOTAL EXPENDITURES		***$163,500.000***

Schedule 3

ONE-TIME GRANT PROPOSAL - REVISED MARCH 23, 1997

Celebrating 40 Years of Memories, Traditions & Friendships!"

Amount Requested:	*$ 16,100.00*
Contact:	*Simone Miles, Administrator* *Barbara Brandt, President* *CANUSA Games - Hamilton Branch*

CANUSA Games 40th Anniversary

OPENING CEREMONIES

Tentative Location:	Bernie Arbour Stadium
Date:	Friday August 8, 1997
Tentative Time:	7:00 p.m.

Budget Outline

1.	Staging & Set-Up	$ 4,500.00
2.	Entertainment	$ 3,300.00
3.	Decor & Signage	$ 2,700.00
4.	Audio/Visual	$ 1,500.00
5.	Security	$ 200.00
6.	Special Effects	$ 2,500.00
7.	Athletes/Volunteer Mementos	$ 1,400.00
TOTAL BUDGET		**$ 16,100.00**

Schedule 4

HISTORY OF THE CANUSA GAMES

The CANUSA Games were created in 1958 through the joint efforts of the Canadian and U.S.A. Amateur Athletic Unions.

Having conducted their Flint Olympian Games in July of the previous year, Flint officials were looking for another competition for their Olympian winners and contacted their A.A.U. for support. The A.A.U. of the United States contacted Canadian A.A.U. looking for a city of comparable size and interests. Hamilton was selected, hence the birth of CANUSA (Canada - U.S.A.) Games. It was also decided that the site of the Games would alternate yearly between the two cities.

In 1958, a caravan of cars set out for Flint on the second weekend in August, lead by Chairman Wilf Thomas and his volunteer committee. That year approximately 200 athletes from each city competed in seven sport areas and from these meagre beginnings, the volunteer spirit caught on and the ideals continue today.

Various means of transporting the athletes have been used including the aforementioned caravan of private vehicles, a special CANUSA Games train and in more recent years, a convoy of up to 24 chartered buses.

The CANUSA Games presently have about 1500 athletes from each country participating in over 25 sport areas, and while the organization has grown considerably, the ideals remain the same; volunteers working in their community for the social and recreational betterment of young and old.

Every year the CANUSA Games' Opening Ceremonies provide many highlights. One of these is most certainly the annual 245 mile marathon run between Flint and Hamilton. It is one of the longest international runs in North America, beginning in the visiting City the evening prior to the Opening Ceremonies and culminating in the runners arriving at the host City's site for Opening Ceremonies. It is a very emotional moment for all who witness the arrival of the torch runners, the circling of the track and the lighting of the large torch which symbolizes the official opening of the Games for that year.

As part of the Opening Ceremonies the National Anthems of both countries are sung by all in attendance. The Mayor of the host City then presents the FRIENDSHIP TROPHY to the Mayor of the visiting City as a token of peace, brotherhood and true friendship, not only between Mayors, but also between competitors, the two Cities and the two Countries.

PHILOSOPHY

The philosophy of the CANUSA Games is to demonstrate the practicality of a community approach to International goodwill between the cities of Hamilton, Ontario, Canada and Flint, Michigan, U.S.A., through the vehicle of amateur athletics.

Families from the host city open their homes to the people from the visiting city in the spirit of goodwill and neighbourliness that marks the friendly rivalry between the competitors of the two cities.

The CANUSA Organization believes that world peace and understanding among people must begin in peoples' hearts; that neighbours must understand neighbours, and that people must learn to live together in neighbourhoods and cities before nations can understand nations and the world can live in peace. To this end the CANUSA Games provide an opportunity at the grass roots level to learn to understand each other's similarities, differences and problems, to work together, and to find the means for individuals to improve themselves and their cities.

Thus, Our Motto...
"Experience the Friendship"

CANUSA GAMES CREED

The CANUSA Games Creed was composed by the late IVAN MILLER, a long-time Sports Director with the Hamilton Spectator.

We swear
that we will take part in the CANUSA Games
in fair competition,
respecting the regulations which govern them
and with the desire to participate
in the true spirit of sportsmanship,
for the glory of sports
and for the honour of our country.

In memory of Mr. Miller, Hamilton has the IVAN MILLER MEMORIAL AWARD which is presented annually to the person who demonstrates not only dedicated service to the CANUSA Games but who also exemplifies the philosophy and ideals of the CANUSA Games as expressed in the Creed.

The real story behind the successful operation of the CANUSA Games as outlined in the following paragraphs has been citizens: people working with people, competing, respecting, enjoying and sharing the CANUSA experience with one another.

... A CATALYST

The success enjoyed by CANUSA because of its ideals, has been the catalyst for many other cities to embark upon similar International Competitions or "Games".
For Example:

The CANUSA Games	*- Hamilton, Ontario vs Flint,Michigan*	*1958*
The Friendship Games	*- Sault Ste. Marie, Ontario vs Saginaw, Michigan*	*1977*
The Friendship Games	*- Thunder Bay, Ontario vs Daluth, Minneapolus*	*1983*
The Arborough Games	*- Peterborough, Ontario vs Ann Arbor, Michigan*	*1982*
The Burlington International Games	*- Burlington, Ontario vs Burlington, Vermont*	*1968*
The Can-amera International Games	*-Cambridge, Ontario vs Saginaw Township, Michigan*	*1971*
The OhiOntario Games	*- St. Thomas, Ontario vs Bowling Green, Ohio*	*1994*
The Canus International Games	*- Orillia, Ontario vs Auburn, New York*	*1975*
The Michitario Games	*- Sarnia, Ontario vs Midland, Michigan*	*1985*
The Peace Games	*- Scarborough, Ontario vs Indianapolis, Indiana*	*1972*

STRUCTURE OF INTERNATIONAL GAMES

Although all International Games share common ideals, their organization, structure and funding may differ greatly from one community to another and from one country to another. Some of the Games have, from their inception, been the responsibility of the local Recreation and/or Education Department, resulting in the Games being organized by persons who are full-time paid city staff (with some assistance from volunteer personnel). Other Games are entirely organized by volunteers.

STRUCTURE OF CANUSA GAMES

In Flint, the CANUSA Games directors originally were comprised of Community School Directors whose responsibility included the annual organization of these Games. Staff were full-time and expenses were absorbed by the Board of Education with additional financial assistance contributed by the Mott Foundation. In recent years the structure of Flint's education system has changed, and the Games are now co-ordinated by volunteers.

In Hamilton, the Games have always been a volunteer operation with headquarters at City Hall. Since 1994, a full-time (paid) administrator manages the day-to-day business related to the Games. The Culture and Recreation Department provides administrative support and sports facilities for tryouts/ practices.

CITIZEN INVOLVEMENT

Citizen involvement has been a tradition with CANUSA over the years, and each volunteer plays an integral part in the overall success of the Games. The CANUSA Organization is made up of volunteer: Directors (15); Sport Area Co-ordinators (50); Coaches (150); and Officials (25+). We also rely on host parents; and more than 2000 athletes and supportive spectators. CANUSA also receives support from donors and contributors both large and small. Through the years, it is estimated that more than 100,000 residents of Hamilton and area have "Expierenced the Friendship" of the CANUSA Games.

FUNDING

As a non - profit organization, financial assistance to operate the Games is derived from various sources. Corporate and personal donations, funds raised through Bingo and lottery operations (activities/efforts), and grants obtained from the City of Hamilton and various foundations comprise our financial set-up.

The budget differs somewhat year to year as an away year (Games in Flint) requires a substantial cost for bus transportation. A current and complete budget is provided with the Treasurer's report at the start of our fiscal year.

A registration fee is requested from each competitor (approx. 1,000). A transportation fee is also charged to those competitors under the age of 18 travelling by bus (this is mandatory). Additional funding is porcured through the sale of promotional shirts/items, donations, and fundraising activities conducted throughout the year.

CONCLUSION

CANUSA hopes that you now have a better understanding of this large scale annual undertaking and that you will look favourably upon supporting this worthwhile exchange.

CITY OF HAMILTON

- RECOMMENDATION -

C.(i)

DATE: 1997 April 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to Amend By-law No. 9430
to Release from Expropriation those lands at 206 Dumbarton

RECOMMENDATION:

a) That By-law No. 9430 be amended to release from expropriation the lands at 206 Dumbarton Avenue being Parcel E, Plan 597, save and except Part 1 on 62R-8118 and Part 1 on 62R-6273, City of Hamilton, Regional Municipality of Hamilton-Wentworth;

b) That the attached By-law be enacted by Council.

P Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On August 8, 1961 the City of Hamilton passed Expropriation By-law No. 9430 thereby commencing the expropriation of twelve parcels of land in the area bounded by King Street East, Highway No. 20, the Mountain Brow and King's Forest Park area in connection with the creation of the Red Hill Creek Watercourse. The Regional Municipality of Hamilton-Wentworth and the City have now completed all expropriations and purchases required. It was determined that a portion of the fourth parcel named in By-law No. 9430 was not in fact needed for either City or Region purposes. This portion of land has however never been released from expropriation.

The solicitor for the owner of lands, Margaret Alexandra Mathes, who is now hospitalized and elderly, in the context of the pending sale of this portion of land was made aware of this title problem by the purchasers' solicitor. A request has been made that the City amend said by-law to remove reference to these lands and thereby eliminate the cloud on title.

The Roads Department has reviewed the matter and has confirmed that the Region and City have obtained, through purchase and expropriation, all the lands which it requires. The expropriation by-law is, therefore, a cloud on the title of the lands which it affects and should be removed. The Law Department has made the determination that the appropriate means of clearing title is to cause the enactment of an amending by-law.

c.c. Mr. E. M. Gill, Senior Director of the Roads Department
Attn: Kin Lau, Manager of Surveys

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97 -

TO AUTHORIZE THE AMENDMENT OF BY-LAW NO. 9430

IN RESPECT OF THE EXPROPRIATION OF CERTAIN LANDS

WHEREAS by By-law 9430 entitled "A By-Law to Expropriate Certain Lands in the area bounded by King Street East, Highway #20, the Mountain Brow and King Forest Park in connection with Sewers and Watercourses" enacted on the 8th day of August, 1961, The Corporation of the City of Hamilton expropriated the parcels of land therein described; and

AND WHEREAS it is now deemed expedient to release a portion of the fourthly described parcel of land, described in Schedule "A" attached hereto, from expropriation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 9430 is hereby amended to delete reference to a portion of the fourthly described parcel of land in its entirety; and

2. The City Solicitor is hereby authorized to register the herein by-law on title to the lands described in Schedule "A" attached hereto.

PASSED this day of April A.D. 1997

CITY CLERK MAYOR

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario and being composed of Parcel E, Plan 597, save and except Part 1, on Reference Plan No. 62R-8118 and Part 1, on Reference Plan No. 62R-6273

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Sick Leave By-law

RECOMMENDATION:

That the Sick Leave By-law By-law 7530 be amended to allow employees to utilize one tenth of day from the employee's sick leave credit bank to offset deductions under the attendance management plans and disability plans.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

By-law 7530 was enacted on April 26, 1955 and created a system of sick leave allowances. The by-law currently states that employees sick leave withdraws from the sick leave allowance must be at least one-half day.

As part of the agreements with various unions, the first of which was Local 167 on November 12, 1996. employees can use their sick leave allowance in an amount of one tenth of a day to offset the one tenth of a day reduction for certain occasion.

ANALYSIS:

The attached by-law enacts the changes approved by Collective Agreement, it reduces the minimum withdrawal amount from the sick leave allowance to one-tenth of a day. Section 2(2) codifies a previous contract agreement in which employees are allowed to use their sick leave allowances to top up a decalculation under the long or short term disability plans.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend By-law No. 7530

THE SICK LEAVE BY-LAW

WHEREAS By-law No. 7530 was enacted on the 26th day of April 1955 under Paragraph 49 of Section 386 of The Municipal Act, R.S.O. 1950, Chapter 243.

AND WHEREAS Section 14 of By-law No. 7530 only authorizes the use of down to one half day of an employee's sick leave allowance;

AND WHEREAS City Council, on the (specify) day of (specify), 1997, in adopting Section (specify) of the (specify) Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 14 of By-law No. 7530 is repealed and replaced with the following:

> 14. The number of days or parts of a day down to 1/10 of a day for which an employee receives sick pay shall be deducted from the employee's cumulative sick leave credit.

2. By-law No. 7530 is amended by the addition of the following section:

14.A (1) Where an employee has experienced an occurrence under the Attendance Management System, which would otherwise result in the employee receiving 90% of the employee's salary, the employee may utilize the employee's sick leave allowance and withdraw a part of a day down to 1/10 of a day from the employee's sick leave allowance to restore the employee's pay to a full day.

(2) Where an employee is on the Short Term Disability Income Replacement or Long Term Disability Income Replacement plans and does not receive full pay, the employee may utilize the employee's sick leave allowance and withdraw the appropriate part of a day, down to 1/10 of a day, from the sick leave allowance to restore the employee's pay to a full day.

3. This By-law is deemed to be effective on November 12, 1996.

PASSED this day of , 1997.

C.(iii)

APR 8 1997

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Culture and Recreation Department User Fees for 1997

RECOMMENDATION:

That the attached By-law to enact the 1997 Culture and Recreation Department User Fees be enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

City Council, on February 25, 1997, in adopting Section 1(b) of the 1st Report of the Committee of the Whole, authorized the City Solicitor to prepare the necessary By-law to make changes to the City's Culture and Recreation Department Fees.

PNJ:LEF:as

c.c. Ross Fair, Director of Culture and Recreation

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

To Amend

By-law No. 96-039

Respecting:

CULTURE AND RECREATION DEPARTMENT USER FEES

WHEREAS By-law No. 96-039 was enacted on March 26, 1996 to establish user fees for the Culture and Recreation Department;

AND WHEREAS Council, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized changes to the Culture and Recreation Department fees;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "C" of By-law No. 96-039 is repealed and replaced by Schedule "C" attached to this By-law.

2. Schedule "D" of By-law No. 96-039 is repealed and replaced by Schedule "D" attached to this By-law.

3. Schedule "E" to By-law No. 96-039 is amended by changing the Adult Rates for the Minor Sports Facilities to the following amounts:

MINOR FACILITIES - ADULT

Weekdays	$5.50 per hour
Weekend Days - less than six hours	$5.50 per hour
Weekend days - more than six hours	$5.50 per hour

There is no maximum rate per field per season.

4. Schedule "F" of By-law No. 96-039 is repealed and replaced by Schedule "F" attached to this By-law.

5. Schedule "H" of By-law No. 96-039 is repealed and replaced by Schedule "H" attached to this By-law.

6. Schedule "J" of By-law No. 96-039 is repealed and replaced by Schedule "J" attached to this By-law.

PASSED this day of 1997.

CITY CLERK MAYOR

SCHEDULE "C" TO BY-LAW NO. 97-

USER FEE SCHEDULE FOR ARENA RENTALS - 1997

WINTER (Oct. 1-May 1)		1997 RATE
Recreational House League Hockey		$ 55
Hub Hockey		$ 63
Rep. Hockey		$ 70
Ringette		$ 63
Sledge Hockey		$ 55
Can Skate/Figure Skating Clubs		$ 80
Power Skating		$135
Private Rentals:	Prime Time	$135
	Non-Prime	$ 90
Tournament: Youth		$ 80
Adult		$135
Department Affiliated Organizations		$ 85
Year Round Figure Skating Practice Card		$ 70

CHEDOKE TWIN PAD RATES (Oct. 1-May 1)		
Recreational House League Hockey		$ 55
Hub Hockey		$ 63
Rep. Hockey		$ 70
Ringette		$ 63
Sledge Hockey		$ 55
Can Skate/Figure Skating Clubs		$ 80
Power Skating		$135
Private Rentals:	Prime Time	$160
	Non-Prime	$130
Tournament: Youth		$106
Adult		$106
Department Affiliated Organizations		$ 85
Year Round Figure Skating Practice Card		$ 70

.../2

SUMMER CHEDOKE TWIN PAD ARENA (May 1 - Oct. 1)

			1997 RATE
Adult	Non-Prime	6a.m.-5p.m. weekdays	$130
	Prime Time	5p.m.-2:00a.m.	$160
	Weekends	6a.m.-2:00a.m.	$160
Youth	Non-Prime	6a.m.-5p.m. weekdays	$106
	Prime Time	5p.m.-2:00a.m.	$106
	Weekends	6a.m.-2:00a.m.	$106

ARENAS SUMMER SURFACE (NON-ICE) (May 1-Sept. 30)

Men's Ball Hockey:	Youth	$ 35
	Adult	$ 50
In-Line Skating:	Youth	$ 35
	Adult	$ 50
Lacrosse:	Youth	$ 35
	Select	$ 45
Tournaments:		$ 60

ARENAS SUMMER ICE:

Youth	$106
Adult	$155
Tournament Youth	$106
Adult	$155

Hamilton Civic Golf Courses 1997 Rates & Fees

Chedoke-Martin (only)	1997
Adult	$645
Adult - non-resident	$745
Couples	$1,190
Couples-non- resident	$1,290
Family	$1,340
Family - non-resident	$1,440
Junior	$150
Junior - non-resident	$250
Intermediate	$400
Intermediate - non-resident	$500
Pensioner	$430
Pensioner - non-resident	$530
Weekday Only (5 Days)	$430
Weekday Only - non-resident	$530

King's Forest (only)	1997
Adult	$950
Adult - non-resident	$1,050
Couples	$1,800
Couples-non- resident	$1,900
Family	$2,000
Family - non-resident	$2,100
Junior	$250
Junior - non-resident	$350
Intermediate	$570
Intermediate - non-resident	$670
Pensioner	$665
Pensioner - non-resident	$765
Weekday Only (5 Days)	$665
Weekday Only - non-resident	$765

City-Wide Membership	1997
Adult	$1,050
Adult - non-resident	$1,150
Couples	$2,000
Couples-non- resident	$2,100
Family	$2,300
Family - non-resident	$2,400
Junior	$350
Junior - non-resident	$450
Intermediate	$630
Intermediate - non-resident	$730
Pensioner	$735
Pensioner - non-resident	$835
Weekday Only (5 Days)	$735
Weekday Only - non-resident	$835

Chedoke - Beddoe (only)	1997
Adult	$850
Adult - non-resident	$950
Couples	$1,600
Couples-non- resident	$1,700
Family	$1,800
Family - non-resident	$1,900
Junior	$250
Junior - non-resident	$350
Intermediate	$510
Intermediate - non-resident	$610
Pensioner	$595
Pensioner - non-resident	$695
Weekday Only (5 Days)	$595
Weekday Only - non-resident	$695

Chedoke - Martin/Beddoe	1997
Adult	$900
Adult - non-resident	$1,000
Couples	$1,700
Couples-non- resident	$1,800
Family	$2,000
Family - non-resident	$3,000
Junior	$300
Junior - non-resident	$400
Intermediate	$540
Intermediate - non-resident	$640
Pensioner	$630
Pensioner - non-resident	$730
Weekday Only (5 Days)	$630
Weekday Only - non-resident	$730

GREEN FEES

Chedoke - Beddoe	1997
18 Holes	$28.00
Pensioner/Jr.	$21.00
Twilight	$19.00
Chedoke - Martin	
18 Holes	$24.00
Pensioner/Jr.	$17.00
Twilight	$15.00
King's Forest	
18 Holes	$30.00
Pensioner/Jr.	$23.00
Twilight	$21.00

SCHEDULE "F" TO BY-LAW NO. 97-

USER FEE SCHEDULE - 1997

(a) **CAMP KIDACA 6 (Beach Strip)**

That the registration fee for the Beach Strip location of Camp Kidaca be increased as follows,

$50.00 for the four day week with the July 1st statutory holiday; and
$60.00 for all other weeks.

(b) **COMMUNITY ACTIVITIES PROGRAM & CANADIAN MENTAL HEALTH ASSOCIATION**

Recreation Centre Membership	$5.00 per day Plus Recreational Centre Membership

(c) **COOPERATIVE NURSERY SCHOOLS**

$5.00 per half day until September 1, 1997
$10.00 per half day starting on September 1, 1997

* ***NOTE**: G.S.T. is included in the above rates.*

SCHEDULE "H" TO BY-LAW NO. 97-

USER FEE SCHEDULE FOR MUSEUMS - 1997

FACILITY	CATEGORY	1997 RATE
Dundurn Includes Military Museum Admission	Adult	$ 6.00
	Senior	$ 5.50
	Student	$ 5.00
	Child	$ 2.50
	Family	$16.00
Military Museum	Adult	$ 2.00
	Senior	$ 1.75
	Student	$ 1.75
	Child	$ 1.50
Steam Museum	Adult	$ 3.50
	Senior	$ 3.00
	Student	$ 2.50
	Child	$ 2.00
	Programmes (Full Day)	**$ 4.00 (New)**
	Family	$10.00
Whitehern	Adult	$ 3.50
	Senior	$ 3.00
	Student	$ 2.50
	Child	$ 2.00
	Family	$10.00
Children's Museum	Child	$ 2.50
	Adult Accompanying Child	Free
	Adult/Other (14 years and over)	**$ 1.00 (New)**
	Friends Membership	$ 5.00
	Adult Pass (All Museums)	**$10.00 (New)**

SCHEDULE "J" TO BY-LAW NO. 97-

USER FEE SCHEDULE FOR SWIMMING POOL RENTALS - 1997

Indoor Pool Rentals: **(General Public / Occasional)**

Non-prime time (Weekdays opening to 4:30 p.m.) per hour	$50.00
Prime time (Weekdays 4:30 p.m. - closing, all weekend hours): per hour	$85.00

Indoor Pool Rentals: **(Clubs and Weekly Use Groups)**

Youth:	$20.00 per hour
Adult:	$40.00 per hour

The above rates include two lifeguards. A rate of $20.00 per hour will be applied to each additional lifeguard as required.

Existing rates for hot pool rentals and fees for the slide at Huntington Park are to remain the same.

* ***G.S.T. is included in the above fees.***

The above rates include two lifeguards and apply to regularly scheduled club times. Additional events/periods beyond the norm will require that, at the supervisor's discretion, the group pay the total cost of lifeguard staff plus the rental rate. A rate of $20.00 per hour will be applied to each additional lifeguard as required.

C. (IV)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 26

APR 2 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: A By-law to enact the Planning Fees Tariff

RECOMMENDATION:

That the attached By-law to enact the Planning Fees Tariff be enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

City Council, on February 25, 1997, in adopting Section 1(d) of the 1st Report of the Committee of the Whole, authorized the City Solicitor to prepare the necessary By-law to make changes to the City's Planning Department Fees.

PNJ:LEF:as

c.c. V.J. Abraham, M.C.I.P., Director, Local Planning Division
Attention: Joanne Hickey-Evans

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

Respecting:

TARIFF OF PLANNING FEES

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13 requires the Council of the Corporation of the City of Hamilton to prescribe a tariff of fees by by-law;

AND WHEREAS the Rental Housing Protection Act, R.S.O. 1990, Chapter R.24 requires the council of the municipality to prescribe a tariff of fees by by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole Committee, authorized this by-law;

AND WHEREAS Section 220 of the Municipal Act authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided on behalf of, or done by, the municipality;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The amount of the fee for each application referred to below shall be as follows:

(1) Application to Council by any person to initiate an amendment to the Official Plan under Section 17

(i) Phase 1 - Services up to the City Council Report $1,145.00

(ii) Phase 2 - Services subsequent to the Council resolution approving the application . . . . . $ 625.00

(2) Application to Council by any person to initiate a Zoning By-law under Section 34 (1) of the Planning Act

(i) A routine application . . . . . $ 885.00

(ii) A complex application

(a) Phase 1 - Services up to the City Council Report $1,145.00

(b) Phase 2 - Services subsequent to the Council Resolution approving the application . . . . . $ 625.00

(3) Application by any person to initiate an application for the purpose of,

(i) site plan control under Section 41 . . . . . $1,140.00

(ii) revision to site plan control under Section 41 . . . . . $ 420.00

(iii) preliminary preview of a site plan . . . . . $ 420.00

(iv) processing a request for site plan approval exemption . . . . . $ 80.00

(4) Application for the approval of a Plan of Subdivision under Section 51 of the Planning Act,

(i) Simple - where no other approvals are required . . . . . $ 560.00

(ii) Complex - where the Official Plan or Neighbourhood Plan or other approvals are required $1,020.00

(5) Application for the approval of a Plan of Condominium,

(i) for a newly constructed building, where The Regional Municipality of Hamilton-Wentworth approves the plan . . . . . $ 560.00

(ii) for a building being converted to a condominium, to be approved by the City of Hamilton

(a) a base fee of $1,000.00

plus

$20.00 per unit to a maximum of 40 units ($800.00),

(b) where the application receives approval, an additional fee for processing the final approval and registration . . . . . $ 250.00

(6) Application for a revision to a Plan of Subdivision or a Plan of Condominium . . . . . $ 355.00

(7) Application for an extension of an approved draft Plan of Subdivision . . . . . $ 180.00

(8) (i) Application for an exemption of part lot control under Section 50(7) of the Planning Act . . . . . $ 500.00

(ii) Application for an extension of Part Lot Control By-law . . . . . $ 250.00

(9) Property reports with respect to the Official Plan, zoning status, Rental Housing Protection Act and Heritage Designation compliance . . . . . $ 80.00

(10) Request by the applicant or agent of an Official Plan Amendment or Re-zoning application to cancel a public meeting

(i) Fee per public notice recirculation . . . . . $ 255.00

(11) Request for a street name change $4,155.00

(12) Request for the preparation of a Neighbourhood Plan and modified Neighbourhood Plan $1,120.00

(13) Request for municipal street numbers . . . . . $ 80.00

2. The amount of the fee for a Rental Housing Protection Act application shall be as follows:

(1) Phase I - Services up to the City Council Report $4,300.00

(2) Phase II - Services subsequent to the Council resolution approving the application

a base fee of $2,000.00

plus

$20.00 per unit for a condominium conversion application

(3) Despite subsection (1), the fee for a Severance Application only $3,000.00

3. The fees shall be paid at the time of and with the making of an application.

4. No application shall be deemed to have been made, and no application shall be received, unless the fee is paid in accordance with this By-law.

5. The amounts in Sections 1 and 2 of this by-law shall be increased annually by the yearly inflation rate, measured by the Consumer Price Index for Toronto; and the resulting figure shall be rounded off to the nearest five dollar interval.

6. By-law No. 93-243 is repealed.

7. This by-law comes into force on the date of its passage.

PASSED this day of , 1997.

CITY CLERK MAYOR

C. (v)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 26

APR 2 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: User Fees for the Hamilton Fire Department

RECOMMENDATION:

That the attached By-law to enact user fees for the Hamilton Fire Department be enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

City Council, on February 25, 1997, in adopting Section 1(c) of the 1st Report of the Committee of the Whole, authorized the City Solicitor to prepare the necessary By-law to enact user fees for the Hamilton Fire Department.

PNJ:LEF:as

c.c. Gil L. Desjarlais, Acting Chief, Hamilton Fire Dept.
Attention: J. R. Winn, Chief Fire Prevention Officer

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

Respecting:

A BY-LAW TO ENACT USER FEES FOR THE HAMILTON FIRE DEPARTMENT

WHEREAS Section 220 of the Municipal Act authorizes a municipality to enact by-laws to impose fees on any person for services or activities provided on behalf of, or done by, the municipality;

AND WHEREAS Council, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized the fee schedule appearing as Schedule "A" to this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The fees specified by Schedule "A", attached to and forming part of this By-law, are hereby enacted.

PASSED this day of 1997.

CITY CLERK MAYOR

SCHEDULE "A"

HAMILTON FIRE DEPARTMENT
1997 SERVICE FEE SCHEDULE

Item #	Service	Fee (includes G.S.T.)
1	Copy of fire response report	$19.26
2	File searches - outstanding work orders	$40.00 (G.S.T. n/a)
3	Inspection of private home day care facilities	$36.38
4	Inspection of foster care homes with capacity ≤ 4, and group homes with capacity ≤ 3	$36.38
5	Inspection of single family dwellings	$36.38
6	Inspection of two family dwellings	$214.00
7	Inspection of L.L.B.O. licence requests (indoor)	$117.70
8	Inspection of L.L.B.O. licence requests (patio)	$53.50
9	Inspection of foster care homes with capacity > 4, and group homes with capacity > 3	$171.20
10	Inspection of residential buildings ≤ 3 storeys with ≥ 3 units / apartments	$374.50
11	Inspection of residential buildings 4, 5 or 6 storeys	$642.00
12	Inspection of licenced day care centres	$107.00
13	Inspection of non-residential buildings (shopping malls, industrial complexes, etc.) in terms of size / area: ≤ 4 storeys - small size > 4 storeys - small size > 4 storeys - medium size > 4 storeys - large size	 $171.20 $406.60 $481.50 $642.00
14	Inspection of residential buildings > 6 storeys: 6 - 11 storeys 12 - 18 storeys > 18 storeys	 $ 642.00 $ 856.00 $1,070.00
15	Requests for Fire Route establishment - new and review of existing	$160.50
16	Requests for Environmental file searches	$300.00 (G.S.T. n/a)
17	Open-air Burning requests	$107.00
18	Request for clearance/status letters	$20.00 (G.S.T. n/a)

C. (vi)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: The Keeping of Animals

RECOMMENDATION:

That Council enact the attached By-law to amend By-law No. 84-191 respecting the Keeping of Animals by adding,

(i) sections on the Keeping of Animals, and

(ii) a section on a process to obtain an exemption for exotic animals.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

In adopting Section 1 of the 7th Report of the Finance and Administration Committee, on April 9, 1996, Council authorized the City Solicitor to prepare amendments to By-law No. 84-191 in order to allow the City to give consideration to requests for granting specific exemptions on the Keeping of Exotic Animals.

The By-law currently only allows most people to keep two Class 3 animals such as dogs, cats and other small animals. Other types of exotic animals, such as wolves, cheetahs, apes and ocelots, are specifically excluded from being kept in the City. As a result of a request for

permission to keep an excluded animal, the Committee asked for a By-law amendment to allow a process to give exemption on the keeping of exotic animals.

ANALYSIS

The Law Department has consulted with the Hamilton Society for the Prevention of Cruelty to Animals (Society) about the process of granting specific exemptions for the Keeping of Exotic Animals.

The attached draft By-law would require the applicant to apply to the Society for a Permit. The Society would inspect the area where the animal would be kept. The Society's recommendations on whether Council should grant the Permit would be based on the type of animal to be kept, the adequacy of the area where the animal would be kept. The applicant would be required to pay an initial application fee and to pay yearly renewal fees. The Society suggests an initial fee of $100 and an annual renewal fee of $50. The Society also suggests that a section on the care of animals be added to the By-law. The draft Section 4B is similar to the By-law used by the City of Toronto. The Society also suggested that the By-law use the same process if a person wants to keep more than two Class 3 animals.

PNJ/LEF:as

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

To Amend:

By-law No. 84-191

Respecting:

THE KEEPING OF ANIMALS

WHEREAS By-law No. 84-191 was enacted on August 28, 1984;

AND WHEREAS paragraph 1 of Section 210 of the Municipal Act, authorizes Council to pass a By-law to regulate the Keeping of Animals within the municipality.

AND WHEREAS the Municipal Act authorizes the Council to establish a fee for services;

AND WHEREAS Council, on April 9, 1996, in adopting Section 1 of the 7th Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 84-191 is amended by the addition of the following section.

4.A (1) In this section, "Society" shall mean "The Hamilton Society for the Prevention of Cruelty to Animals".

(2) Despite any Section of this By-law, any person may apply to the Society for

(i) a Permit to keep an animal that would otherwise be prohibited by this By-law, or

(ii) a Permit to keep more than two Class 3 animals.

(3) The Permit applicant shall,

(i) complete the Permit application;

(ii) pay the Permit application fee;

(iii) allow the Society to inspect the area where the animal is proposed to be kept.

(4) (i) Upon receiving a completed application form, the Society shall inspect the area where the animal is proposed to be kept;

(ii) The Society shall report to the Clerk's Department on whether the Society could recommend that the applicant be issued a Permit to keep the animal;

(iii) The Society's recommendation shall be based on the type of animal described in the Application, the adequacy of the cage or area where the animal would be kept, and the applicant's knowledge on the proper care of the animal and what types of vaccinations are required for the type of animal.

(5) (i) The applicant shall allow the Society to inspect the area where the animal would be kept;

(ii) The applicant shall allow the Society to do an annual inspection of the area where the animal is kept.

(6) The City Clerk shall forward the Society's report to the Finance and Administration Committee for a decision on whether to grant the Permit or to deny the Permit.

(7) If the Council approves the application, the applicant shall renew the Permit every year if the applicant still owns the animal.

(8) The Permit may be revoked if the Permit holder does not allow an annual inspection in the area where the animal is kept or does not follow the instructions of the Society on the required vaccinations for the animal.

(9) The Permit Application fee shall be $100.00 and the annual renewal fee shall be $50.00.

(10) All Permits issued are not transferable to a new location.

2. By-law No. 84-191 is further amended by the addition of the following Section:

4.B (1) Every person who keeps an animal within the City's boundaries shall provide the animal or cause it to be provided with food, water, exercise, attention and veterinary care as may be required from time to time to keep it in good health.

(2) If an animal is customarily kept out-of-doors, the person having the custody or control of the animal shall provide for its use at all times a structurally sound, weatherproof, insulated enclosure with off-the-ground flooring.

(3) Every person who has the custody or control of an unspayed female animal shall, during each period that the animal is in heat, keep it confined so that it will not attract other animals.

(4) No person shall keep any animal within the City's boundaries tethered on a chain, rope or similar restraining device of less than three (3) metres in length.

(5) (i) No person shall keep an animal within the City's boundaries in an unsanitary condition.

(i) For the purpose of this Article, an animal is kept in an unsanitary condition where the keeping of the animal results in an accumulation of faecal matter, an odour, insect infestation or rodent attractants which endanger the health of the animal.

PASSED this day of 1997.

CITY CLERK MAYOR

E.(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 9

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of Two (2) Truck Chassis with Refuse Packers, Units 9125 and 9126, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Universal Handling Equipment Company Ltd., Hamilton, in the amount of $200,150 including all applicable taxes and trade in, for the replacement of two (2) Truck Chassis complete with Refuse Packers units #9125 and 9126 for Fleet Services, being the only tender received in accordance with specifications issued by the Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X504 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1996 Fleet Services vehicle replacement program, as approved by City Council on January 30, 1996. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

Continued.....

BACKGROUND: Tender Analysis

This tender, for various types of equipment, was advertised and thirty-five suppliers were notified. One responded to this section. The recommended vendor is consistent with previous purchases and have proven to be the most economical rear loading refuse packer available.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the fleet complement.

CG

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

E. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 March 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of One (1) Aerial Device with Chip Box
Unit 9630, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Wajax Industries Ltd., Mississauga, in the amount of $164,022.00, including all applicable taxes and trade-in, for the replacement of one (1) Truck Chassis complete with Aerial Device and Chip Box unit #9630 for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1995 Fleet Services vehicle replacement programme, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

Continued.....

BACKGROUND: Tender Analysis

	Chassis Type	With Trade
Altec Industries, Milton	Ford	$133,603.75 *
	GMC	135,903.75 *
	International	144,585.25 *
	Freightliner	144,771.15 *
Wajax Industries, Mississauga	Freightliner	164,022.00
Rocwin Sales, Mississauga	GMC	167,716.00

* The Aerial Device bid by this Company does not meet specifications in the following areas:

1. A 650 lb. bucket was specified and this unit has only 500 lb. capacity.

2. The user department, Forestry, requires a bucket that rotates 180 degrees to allow tree trimming without driving on sidewalks or the operator lowering the bucket and physically moving the truck. A rotating bucket allows for close work which eliminates operators leaning out of the bucket. The Altec unit offers only 55 degrees of rotation in each direction.

3. A minimum of 36.6 feet of horizontal reach from the centre line of rotation to the outside edge of the bucket was specified. This side reach is essential for reaching trees from the road allowance. The Altec unit offers only 32.5 feet of side reach.

4. The payment terms specified are thirty days, to begin from the date of acceptance of the completed unit. This bidder requires payment of the chassis section prior to the delivery of the finished product, which is not economical and a poor business practice.

This tender, for various types of equipment, was advertised and thirty-five suppliers were notified. Four responded to this section.

This vehicle will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement.

DM/DL

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

CITY OF HAMILTON

- RECOMMENDATION -

F.

DATE: 1997 April 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: By-law re Human Rights Code

RECOMMENDATION:

(a) That the City of Hamilton Licensing By-law # 93-069, respecting Taxicabs, be amended to require that the Ontario Human Rights Code be posted prominently at all taxi brokerages; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N\A

BACKGROUND:

On several occasions recently members of Licence Division staff have met with the Mayor's Committee Against Racism and Discrimination to discuss discrimination in the Taxi Industry. Representatives from the taxi brokerages also provided input.

As a result of these meetings the Mayor's Committee Against Racism and Discrimination made the following two recommendations:

(1) **That the Taxi By-law be amended to require that the Ontario Human Rights Code be posted prominently at all taxi brokerages.**

(2) **That Section 1. (Services), Section 5.(1) (Employment), Section 5.(2) (Harassment in Employment), Section 7.(2) (Harassment Because of Sex in Workplaces), Section 12 (Discrimination Because of Association) and Section 32.(1) (Complaints) from the Code, which pertain to the employee's rights in the work place, be included in the Taxi Driver's Manual.**

(The above noted sections are attached hereto for the information of the Finance and Administration Committee)

With regard to the posting of the Human Rights Code, (Recommendation #1) I would advise that although the three taxi brokerages presently post the Human Rights Code, the Committee was concerned that a change in ownership of a taxi brokerage may result in the code not being posted, unless it was a By-law requirement.

With regard to Recommendation #2, I would advise that a by-law amendment is not required and that we are undertaking to include the same in our Taxi Driver's Manual.

For the information of the Committee the City of Hamilton Licensing Committee, at its meeting of 1997 April 9, was advised of the above recommendations and endorsed the same.

cc: Mayor Robert M. Morrow) Co-Chairs, Mayor's Committee Against
Marlene Thomas Osbourne) Racism and Discrimination
Patrice Noé Johnson, City Solicitor
Mrs. S. Glover, Secretary, City of Hamilton Licensing Committee

Encl.

SECTIONS OF THE ONTARIO HUMAN RIGHTS CODE

FREEDOM FROM DISCRIMINATION

Services	1.	Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap.
Employment	5.(1)	Every person has a right to equal treatment with respect to employment without discrimination because or race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offenses, marital status, family status or handicap.
Harassment In Employment	5.(2)	Every person who is an employee has a right to freedom from harassment in the workplace by the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offenses, marital status, family status or handicap.
Harassment Because of Sex In Workplaces	7.(2)	Every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee.
Discrimination Because of Association	12.	A right under Part I is infringed where the discrimination is because of relationship, association or dealings with a person or persons identified by a prohibited ground of discrimination.

ENFORCEMENT

Complaints	32.(1)	Where a person believes that a right of the person under this Act has been infringed, the person may file with the Commission a complaint in a form approved by the Commission.

G.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 April 16th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Updates - A.M.O. - Winter 1997

(b) L.A.S. (Local Authority Services Ltd.) - A.M.O. - "Who we are and What we do"

(c) Resource Centre Services - A.M.O.

(d) Correspondence - Ontario Public Service Employees Union - AMO negotiations with the Province - letter dated 1997 March 17th

(e) Correspondence - City of Sarnia - AMO and Provincial Negotiations - Megaweeek Initiatives - letter dated 1997 March 24th

(f) Correspondence - Hamilton Professional Fire Fighters Association - Night/Evening Home Inspection Program - letter dated 1997 March 24th

(g) Information Report - Chief Administrative Officer and Commissioner of Human Resources - Court of Appeal Division - City of Hamilton v. C.U.P.E. Local 167 and M.R. Gorsky, Arbitrator - report dated 1997 April 9th

(h) Information Report - Chief Administrative Officer - CP Derailment Incident - report dated 1997 April 9th

(i) Report - Commissioner of Public Works and Traffic to the Transport and Environment Committee - 1997 Servicing Expenditures related to Subdivisions - City's share - financing - report dated 1997 April 10th

(j) Correspondence - Director of Property - Real Estate Division of the Property Department - Services to the Region for the First Quarter of 1997 - letter dated 1997 April 14th

Susan K. Reed

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL
JUN 9 1997
GOVERNMENT DOCUMENTS

Tuesday, 1997 May 6
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

A. **DELEGATION**

Solicitor, Tim Bermingham, on behalf of the Hamilton Art Gallery - Tax exemption request

(a) Report - City Solicitor (copy to follow)

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION**

Coronation Park Housing Corporation Limited

4. **CITY SOLICITOR**

(a) Requested additional information respecting a By-law to amend By-law No. 84-191 respecting the Keeping of Animals (tabled from previous meeting)

(i) Recommendation previously tabled respecting the By-law amendment on The Keeping of Animals

(b) Proposals for a new Municipal Act, 1997

5. **CORRESPONDENCE REFERRED FROM CITY COUNCIL**

   Survey of Fire Defences of the City of Hamilton

6. **ACTING FIRE CHIEF**

   Emergency Vehicle Replacement

7. **TREASURER**

   Financing - Emergency Vehicle Replacement

8. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS**

   Leasing Supplier for PC Workstations, Printers, File Servers, and Network Equipment

9. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

   Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property - 16 Magill Street

10. **CHIEF ADMINISTRATIVE OFFICER**

    1997 Christmas Closure

11. **CHAIRMAN, HECFI BOARD OF DIRECTORS**

    Barrier Free Standards Complaince - HECFI Facilities

12. **DIRECTOR OF CULTURE AND RECREATION AND BUILDING COMMISSIONER**

    Requested Information Report - Barrier Free Infrastructure Program - Request for Funding - HECFI

13. **REFERRAL FROM CITY COUNCIL**

Request from Flamboro Downs - City's approval for two proposed Teletheatre locations

14. **CHIEF ADMINISTRATIVE OFFICER**

Theatre Aquarius (copy to follow)

15. **OTHER BUSINESS**

16. **ADJOURNMENT**

71 Main Street West, Hamilton, Ontario L8N 3T4
Telephone (905) 546-4603/Fax (905) 546-2762

City of HAMILTON

MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION

3.

MEMORANDUM

****

TO: Susan K. Reeder
Secretary
Finance and Administration Committee

APR 2 2 1997

FROM: Mark Mascarenhas
General Manager PHONE: (905) 546-4604

SUBJECT: Coronation Park Housing Corporation Ltd. DATE: 1997 April 22

Please be advised that at its meeting of 1997 April 21, the Municipal Non-Profit (Hamilton) Housing Corporation approved the following resolution which is now being referred to the Finance and Administration Committee for action.

1. *That the information from Coronation Park Housing Corporation Ltd., be directed to the City's Finance and Administration Committee with the suggestion that the General Manager be appointed to review and report on the Corporation's status and its future relationships with the City.*

Would it be possible for this matter to be attended to at the 1997 May 6 meeting? The reason is that soon after on 1997 May 22, the Coronation Park Housing Corporation is having its Annual General Meeting and its important for staff to be suitably directed by then.

Thank you.

Mark Mascarenhas

MM/dk

Attach.

- RECOMMENDATION -

DATE: 1997 April 16

REPORT TO: Board of Directors
Municipal Non-Profit (Hamilton) Housing Corporation

FROM: Mark Mascarenhas
General Manager

SUBJECT: Coronation Park Housing Corporation Ltd.

RECOMMENDATION:

That the information from Coronation Park Housing Corporation Ltd. be directed to the City's Finance and Administration Committee with the suggestion that the General Manager be appointed to review and report on the Corporation's status and its future relationships with the City.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The Coronation Park Housing Company was incorporated in the early 1950's and developed a 16 unit seniors housing project on Reid Avenue, Hamilton, under the Federal Limited Dividend Program. In exchange for a land contribution from the City of Hamilton and a grant in lieu of property taxes, the City received the majority of the shares of the Corporation and hence owns the Corporation and its assets. Nine voting shares were allotted to nominees of the City who were named directors of the Corporation, however, in the last few years these nominees have ceased to be involved in directing the Corporation.

There has been some discussion on the City assuming a more active role in the Corporation, perhaps through Municipal Non-Profit (Hamilton) Housing Corporation, and as such, staff recommend that this matter be dealt with through the City's Finance and Administrative Committee (Appendix A).

MM/dk

Attach.

4. (a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 April 29

APR 3 0 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: The Keeping of Animals By-law No. 84-191

BACKGROUND:

The Committee, at its meeting of April 22, 1997, considered a draft by-law to amend By-law No. 84-191 on The Keeping of Animals. The Committee decided to table this item to its next meeting to consider the City of Kitchener By-law on Pit Bulls.

The Law Department contacted the City of Kitchener for information about the Kitchener By-law. The City of Kitchener (and the City of Waterloo) received Special Legislation from the Province in 1996 to enact by-laws regulating specific breeds of dogs or mixed breeds of dogs. This Special Legislation was needed as previous Court cases have held that a municipality may not prohibit a "Pit Bull" dog, as this is a vague term. Attached to this report is a copy of the City of Kitchener Special Act.

ANALYSIS:

The Special Legislation obtained by the City of Kitchener authorizes the municipality to enact by-laws regulating the keeping and prohibiting of any class or breed of dog or any mixed breed of dog. Among other powers, the Act authorizes the municipality to specify a Dog Designation Committee or Council as the Appeal Committee. The Appeal Committee may confirm or rescind an Order that the dog is a specified breed.

"Pit Bull" is defined in the resulting By-law as a Pit Bull Terrier, an American Pit Bull Terrier or a Pit Bull, but does not include a Staffordshire Terrier. Pit Bull Dogs are prohibited in the City of Kitchener. With respect to the issue of what is a Pit Bull or a cross Pit Bull dog, it would appear that this term is still vague. In any by-law proceeding, the City would have the onus of proof that the dog was a Pit Bull or cross Pit Bull. The difficulty is again how to prove what is a Pit Bull or a cross Pit Bull dog.

The current City of Hamilton By-law defines a vicious dog as one that has made an unprovoked attack on a person or other animal. This type of definition is based on a factual occurrence.

With the Province drafting a New Municipal Act, they are looking at repealing (not enacting) all special legislation for municipalities. No draft sections of legislation on regulation of animals has been circulated, so we can't predict how the Province will treat this area.

PNJ/LEF:as

Bill Pr71 **1996**

An Act respecting the City of Kitchener and the City of Waterloo

Preamble

The Corporation of the City of Kitchener and The Corporation of the City of Waterloo, referred to in this Act as the Corporations, have applied for special legislation to regulate and prohibit the keeping and harbouring of certain classes and breeds of dogs.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-laws re dogs

1. (1) In addition to the powers set out in section 210 of the *Municipal Act*, the councils of the Corporations may pass by-laws,

(a) regulating the keeping or harbouring of any class or breed of dog or any mixed class or mixed breed of dog;

(b) prohibiting the keeping or harbouring of any class or breed of dog or any mixed class or mixed breed of dog.

Regulated or prohibited dogs may be muzzled, leashed, have microchip implant

(2) A by-law passed under clause (1) (a) may provide that dogs of a regulated or prohibited class, breed, mixed class or mixed breed must,

(a) be muzzled;

(b) be kept on a leash;

(c) have a microchip implanted in their bodies for the purpose of identification; or

(d) be otherwise regulated.

Regulated or prohibited dogs may be seized, impounded, killed

(3) A by-law passed under subsection (1) may provide that dogs of a regulated or prohibited class, breed, mixed class or mixed breed may be seized, impounded and killed.

Area of application

(4) A by-law passed under subsection (1) may apply to the whole or any defined area of the City of Kitchener or the City of Waterloo, as the case may be.

Notice to dog owner

2. (1) A by-law passed under subsection 1 (1) shall set out the notice that must be given to the owner of the dog when a determination is made that the dog belongs to a regulated or prohibited class, breed, mixed class or mixed breed of dog under the by-law.

Same

(2) The notice to the owner of the dog shall advise the owner,

(a) that the dog has been determined by the animal control official of the Corporation to belong to a regulated or prohibited class, breed, mixed class or mixed breed of dog under the by-law;

(b) of the actions that the animal control official of the Corporation proposes to take with respect to the dog; and

(c) of the owner's right to a hearing by the council of the Corporation or a committee of the council.

Hearing

(3) Upon receiving a request for a hearing from the owner of the dog within the time specified in the by-law, the council of the Corporation or committee of the council, as specified in the by-law, shall hold a hearing and shall, at the conclusion of the hearing, affirm, rescind or vary the determination that the dog belongs to a regulated or prohibited class, breed, mixed class or mixed breed of dog under the by-law or the actions that the animal control official proposes to take.

No action until hearing concluded

(4) No action described in subsection 1 (2) or (3) may be taken until the required notice has been given, and,

(a) the time for requesting a hearing, as specified in the by-law, has expired without a hearing being requested;

(b) a hearing has been requested and the request has been withdrawn or abandoned; or

(c) a hearing has been requested and the council of the Corporation or committee of the council has issued its decision.

Commencement

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Cities of Kitchener and Waterloo Act, 1996*.

4. (a.) (i)

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	P. Noé Johnson City Solicitor Law Department	YOUR FILE:	
FROM:	Susan K. Reeder, Secretary Finance and Administration Committee	OUR FILE: PHONE:	 546-2753
SUBJECT:	By-law to amend By-law No. 84-191 respecting the Keeping of Animals	DATE:	1997 April 24

As you are aware, the Finance and Administration Committee at its meeting held Tuesday, 1997 April 22nd were in receipt of the above noted By-law.

Concern was expressed at the provision in the amending by-law to increase the number of animals that may be kept. Also some discussion ensued with respect to provisions to be included in this amending by-law concerning vicious dogs. In this regard, some reference was given to a by-law recently passed by Kitchener.

As a result of these concerns, the Committee agreed that this By-law report should be tabled to the next meeting in order that these concerns can be addressed with an additional staff report.

Trusting that this confirmation of tabling, and the request for additional information is of assistance to you.

SKR

cc Alderman B. Charters, Chairman, Finance and Administration Committee
Alderman D. Drury

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Alderman D. Ross
Alderman, Ward 8
Aldermen's Office

YOUR FILE:

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

OUR FILE:
PHONE: 546-2753

SUBJECT: Linda Pottruff - Daughter's Pet Monkey

DATE: 1996 April 10

As you are aware, City Council at its meeting held Tuesday, 1996 April 9th approved Section 1 of the Seventh Report for 1996 of the Finance and Administration Committee as follows:

(a) That an exemption be made to City of Hamilton By-law 84-191 respecting the Keeping of Animals, to allow Chanene Ellis of 190 Limeridge Road West to keep her two year old spider monkey, on the condition that the H.S.P.C. is satisfied that the monkey is being properly cared for, and of no nuisance or danger to others; and,

(b) That the City Solicitor be authorized and directed to prepare amendments to the City of Hamilton By-law 84-191 in order to allow the City to give consideration to requests for granting specific exemptions on the keeping of exotic animals.

By copy of this memo, I am confirming this approval with the City Solicitor, as well as the General Manager of the H.S.P.C.A., in order that the appropriate amendment to the City's By-law 84-191 can be prepared.

SKR

cc Alderman B. Charters, Chairman, Finance and Administration Committee
P. Noe Johnston, City Solicitor
C. Stableford, General Manager, H.S.P.C.A.

"Copy sent to P. Noé Johnson, City Solicitor - 1996 April 1st"

March 29, 1996

To: Alderman Bob Charters
Chairman
Finance & Administration Committee

Susan Reeder
Secretary
Finance & Administration Committee

From: Cam Stableford
General Manager
Hamilton SPCA

RE: LINDA POTTRUFF - PET MONKEY

The City of Hamilton By Law 84-191 which deals with the keeping of animals specifically prohibits the keeping of certain species. Generally, those animals which are considered "wildlife" or exotic species (non native species) are prohibited, and monkeys are amongst those prohibited.

The By Law is enforced on the basis of complaint. The By Law does not consider nuisance or danger values, and an offense under the By Law is determined solely by the "keeping" of the animal. Therefore, if Linda Potruff keeps a monkey, she is guilty of violating the By Law. This is a very straight forward determination.

We apply a certain amount of discretion in the application of the By Law and appreciate that the proper keeping of many species does not represent a threat to the quality of life in our community. The action of the SPCA is usually gauged by the nature and persistence of the complaint.

Should the City wish to condone the keeping of the monkey in question, an amendment to the By Law is required. I would counsel the City against a blanket endorsement of monkeys or any other exotic species. Should the monkey bite a person, regardless of the circumstance, I suspect the City would be held liable for any damages which result. I am not a lawyer, but I believe the only course of action available to the City at this time is to enforce the By Law as written, and then seek appropriate revisions if they wish to accommodate Ms. Pottruff's situation. It should be possible to allow exemptions where individuals can satisfy the City of the exceptional circumstances of a situation.

App'd by Committee.....

App'd by Council.....

It should be known that the By Law being enforced here is at the same level as a "parking violation". As an example, should one decide to park illegally, a ticket is given, and a fine paid. Should the offending parker wish to continue to violate the By Law, as long as they wish to continue paying the penalty, they can theoretically continue the offending behaviour.

Should Ms. Potruff be found guilty of the offense, she will be expected to pay the fine of $60 to the court. Although we would not want to encourage her to keep the animal, she could do so if she is willing to risk the result of further complaints, fines etc., in the hopes that the City would create an exemption under the By Law through the revision of same.

The By Law clearly does not give City employees or the Hamilton SPCA the right to enter the Pottruff residence and remove the animal. If other circumstances developed, such as a bite, or improper care of the monkey, other legislation would give this authority however.

I hope the Committee will find these comments useful in it's deliberation of this matter.

Respectfully submitted.

General Manager, HSPCA

3/20/96.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: The Keeping of Animals

RECOMMENDATION:

That Council enact the attached By-law to amend By-law No. 84-191 respecting the Keeping of Animals by adding,

(i) sections on the Keeping of Animals, and

(ii) a section on a process to obtain an exemption for exotic animals.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

In adopting Section 1 of the 7th Report of the Finance and Administration Committee, on April 9, 1996, Council authorized the City Solicitor to prepare amendments to By-law No. 84-191 in order to allow the City to give consideration to requests for granting specific exemptions on the Keeping of Exotic Animals.

The By-law currently only allows most people to keep two Class 3 animals such as dogs, cats and other small animals. Other types of exotic animals, such as wolves, cheetahs, apes and ocelots, are specifically excluded from being kept in the City. As a result of a request for

TABLED
to May 6 meeting
App'd by Committee 1997 April 22
App'd by Council

permission to keep an excluded animal, the Committee asked for a By-law amendment to allow a process to give exemption on the keeping of exotic animals.

ANALYSIS

The Law Department has consulted with the Hamilton Society for the Prevention of Cruelty to Animals (Society) about the process of granting specific exemptions for the Keeping of Exotic Animals.

The attached draft By-law would require the applicant to apply to the Society for a Permit. The Society would inspect the area where the animal would be kept. The Society's recommendations on whether Council should grant the Permit would be based on the type of animal to be kept, the adequacy of the area where the animal would be kept. The applicant would be required to pay an initial application fee and to pay yearly renewal fees. The Society suggests an initial fee of $100 and an annual renewal fee of $50. The Society also suggests that a section on the care of animals be added to the By-law. The draft Section 4B is similar to the By-law used by the City of Toronto. The Society also suggested that the By-law use the same process if a person wants to keep more than two Class 3 animals.

PNJ/LEF:as

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

To Amend:

By-law No. 84-191

Respecting:

THE KEEPING OF ANIMALS

WHEREAS By-law No. 84-191 was enacted on August 28, 1984;

AND WHEREAS paragraph 1 of Section 210 of the Municipal Act, authorizes Council to pass a By-law to regulate the Keeping of Animals within the municipality.

AND WHEREAS the Municipal Act authorizes the Council to establish a fee for services;

AND WHEREAS Council, on April 9, 1996, in adopting Section 1 of the 7th Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 84-191 is amended by the addition of the following section.

4.A (1) In this section, "Society" shall mean "The Hamilton Society for the Prevention of Cruelty to Animals".

(2) Despite any Section of this By-law, any person may apply to the Society for

(i) a Permit to keep an animal that would otherwise be prohibited by this By-law, or

(ii) a Permit to keep more than two Class 3 animals.

(3) The Permit applicant shall,

(i) complete the Permit application;

(ii) pay the Permit application fee;

(iii) allow the Society to inspect the area where the animal is proposed to be kept.

(4) (i) Upon receiving a completed application form, the Society shall inspect the area where the animal is proposed to be kept;

(ii) The Society shall report to the Clerk's Department on whether the Society could recommend that the applicant be issued a Permit to keep the animal;

(iii) The Society's recommendation shall be based on the type of animal described in the Application, the adequacy of the cage or area where the animal would be kept, and the applicant's knowledge on the proper care of the animal and what types of vaccinations are required for the type of animal.

(5) (i) The applicant shall allow the Society to inspect the area where the animal would be kept;

(ii) The applicant shall allow the Society to do an annual inspection of the area where the animal is kept.

(6) The City Clerk shall forward the Society's report to the Finance and Administration Committee for a decision on whether to grant the Permit or to deny the Permit.

(7) If the Council approves the application, the applicant shall renew the Permit every year if the applicant still owns the animal.

(8) The Permit may be revoked if the Permit holder does not allow an annual inspection in the area where the animal is kept or does not follow the instructions of the Society on the required vaccinations for the animal.

(9) The Permit Application fee shall be $100.00 and the annual renewal fee shall be $50.00.

(10) All Permits issued are not transferable to a new location.

2. By-law No. 84-191 is further amended by the addition of the following Section:

4.B (1) Every person who keeps an animal within the City's boundaries shall provide the animal or cause it to be provided with food, water, exercise, attention and veterinary care as may be required from time to time to keep it in good health.

(2) If an animal is customarily kept out-of-doors, the person having the custody or control of the animal shall provide for its use at all times a structurally sound, weatherproof, insulated enclosure with off-the-ground flooring.

(3) Every person who has the custody or control of an unspayed female animal shall, during each period that the animal is in heat, keep it confined so that it will not attract other animals.

(4) No person shall keep any animal within the City's boundaries tethered on a chain, rope or similar restraining device of less than three (3) metres in length.

(5) (i) No person shall keep an animal within the City's boundaries in an unsanitary condition.

(i) For the purpose of this Article, an animal is kept in an unsanitary condition where the keeping of the animal results in an accumulation of faecal matter, an odour, insect infestation or rodent attractants which endanger the health of the animal.

PASSED this day of 1997.

CITY CLERK MAYOR

4. (b.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 April 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Proposals for a new Municipal Act, 1997

RECOMMENDATION:

That the Province be requested to circulate the entire draft Bill of the new Municipal Act in advance of First Reading to enable an understanding of the legislation and meaningful public discussions and comment.

DISCUSSION:

Representatives from the Ministry of Municipal Affairs and Housing have since March 10th, 1997 made presentations on the provincial policies regarding the new Municipal Act to various organizations. The presentation was on a brief entitled "Proposed Draft Legislation for the Core Parts of a New Municipal Act" and a booklet entitled " A Proposed Legislative Framework". This correspondence was circulated to you previously by the City Clerk. The slide presentation made by provincial staff to all organizations is attached.

The Canadian Bar Association of Ontario, Municipal Law Section received the presentation as reflected in the attached. On an ad hoc basis, provincial staff heard general concerns and requests for more information. This occurred at the CBA-O shortly after the session with the Regional Solicitors group. The presentation to the City Solicitors of Ontario was given April 11, 1997 here in Hamilton when we hosted them at Dundurn Castle. Both groups are considering a recommendation similar to the above to their clients and on behalf of their organizations, prior to May 9th provincial deadline for response.

The concerns expressed by all (CBA-O and Local Area Solicitors) were the absence of detail and general lack of information. With the projection of an early June tabling of a completely new Act, only a few sections of the draft legislation were distributed. Ministry staff encouraged us to have our councils request full disclosure of the draft Act prior to introduction into the Legislature.

The intent of the new legislation is to redefine Municipal Provincial relationships. The scheme proposed to allow more flexibility and creativity is to be accomplished through "natural person powers" and "governmental powers".

The drafted "natural person powers" should be a counterpart to the corporations incorporated under the Business Corporations Act (such as instruments of commerce), for those municipal corporations which derive their powers from the Municipal Act. They are procedural and not substantive. As currently drafted, they give Ontario municipalities nothing that they don't currently have.

The drafted "governmental powers" create an upper tier chart of authority, headed "exclusive or non exclusive". The approach initially was to delegate broad areas of authority. The result in the limited draft available is rather to delegate primarily to the upper tiers, preserving the status quo where the upper tier enjoys an exclusive jurisdiction. The policy hints at draft sections which expand the areas of the hitherto lower tier responsibility in tax collection to the upper tier. The statements in the brief are contradictory and do not support a consistent approach or policy to legislative delegation.

For your ease of reference, attached is the legislative table of authority. The table illustrates the upper tier authorities, be they exclusive or non exclusive. There is no corresponding table to reflect any delegated authority to the lower tier, nor is there any table to reflect the responsibility of those areas not listed. The Province will encounter difficulty in areas that lower tiers now perform routinely if not delegated. The Province will be seen to have retained that responsibility, although it is doubtful that they anticipated taking over any areas. This could be an omission from the scanty information given or an oversight/drafting error.

The Ontario policy somewhat mimics the earlier Alberta model but with noted exceptions. It is only speculation on whether the Ontario draft, when seen in its complete form will in fact accomplish what it is intended to accomplish, or result in legislation by Regulation or by Court interpretation of general powers into specific authority as is the current status.

The other area of concern, is the repeal of all private legislation enacted on behalf of individual municipalities. The City of Hamilton has over the years a great number of special Acts, including but not limited to the HECFI legislation. It will be necessary for the City to resurrect all special legislation and review them prior to their repeal.

TABLE

Area of authority (para. of subs. 6 (1))	Part of area assigned	Upper-tier municipality (ies) to which part assigned	Exclusive or non-exclusive assignment
1 --The health, safety, protection and well-being of people and the protection of property	A communication system for the provision of emergency response services	All	Non-exclusive
	Enforcement of the *Building Code Act, 1992*	Haldimand-Norfolk, Sudbury	Exclusive
2 --Public utilities	Sewage treatment	All counties, Niagara, Ottawa-Carleton, Waterloo, York	Non-exclusive
		Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Muskoka, Oxford, Peel, Sudbury	Exclusive
	Sanitary sewers	All counties, Niagara, Ottawa-Carleton, Waterloo, York	Non-exclusive
		Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Muskoka, Oxford, Peel, Sudbury	Exclusive
	Storm sewers	All upper-tier municipalities	Non-exclusive
	Water production, treatment and storage	All upper-tier municipalities except counties	Exclusive
	Water distribution	Niagara, Waterloo, York	Non-exclusive
		Oxford, Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Muskoka, Ottawa-Carleton, Peel, Sudbury	Exclusive
	Fuel, energy, and heating and cooling services	All counties	Non-exclusive

3 --Waste management	Whole area, except waste collection	Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Ottawa-Carleton, Oxford, Peel, Sudbury, Waterloo, York	Exclusive
4 --Public highways, including parking and traffic on highways	Whole area	All upper-tier municipalities	Non-exclusive
5 --Transportation systems other than public highways	Airports	All upper-tier municipalities	Non-exclusive
	Ferries	All upper-tier municipalities	Non-exclusive
	Handicapped passenger transportation services	Peel	Non-exclusive
		Hamilton-Wentworth, Ottawa-Carleton	Exclusive
	Passenger transportation services, except airports, ferries and handicapped passenger transportation services	Hamilton-Wentworth, Ottawa-Carleton	Exclusive
7 --Culture, recreation and heritage	Whole area	All upper-tier municipalities	Non-exclusive
8 --Economic development	Promotion of the municipality	Durham, Haldimand-Norfolk, Hamilton-Wentworth, Oxford, Sudbury	Exclusive
		All counties, Muskoka, Niagara, Ottawa-Carleton, Peel, Waterloo, York	Non-exclusive
	Industrial, commercial and institutional sites	Durham, Haldimand-Norfolk, Ottawa-Carleton, Oxford, Peel, Sudbury	Exclusive
10 --Drainage and flood control, except storm sewers	Whole area	All upper-tier municipalities	Non-exclusive
12 --Parking, except on public highways	Municipal parking lots and structures	All upper-tier municipalities	Non-exclusive

NOTE: It is proposed that special provisions be included for exceptions from the general rule (e.g. Regional Municipalities Act, ss. 65 and 84 allow regions to pass by-laws regulating water lines and sewers of local municipalities).

A Proposed Legislative Framework for a New Municipal Act

March 1997

Outline of presentation

1. Purpose of presentation
2. Overview
3. Key changes
4. Your input

1. Purpose of presentation

You should walk away with:

- understanding of key proposals

We want to walk away with:

- your ideas

Part 2. Overview

What is the main change we're proposing?

- Broader authority for municipalities
  - 13 broad areas of authority
  - Governmental powers
  - Natural person powers

What results are expected?

A Municipal Act that is:

- more flexible
- less prescriptive
- more comprehensive

Why do we want to do this?

- Current Act doesn't work well
- Municipal sector wants a new Act
- Current Act doesn't fit with broader authority and new roles and responsibilities proposed for municipalities

Other key changes

- Enhanced municipal discretion over other non-financial matters
- Continue more prescribed approach on financial matters

Part 3. Key changes

Proposed areas of authority

- Health, safety, protection & well-being
- Public utilities
- Public highways
- Natural environment
- Economic development
- Drainage & flood control
- Parking
- Waste management
- Transportation systems
- Culture, recreation & heritage
- Nuisances
- Structures
- Animals

Key points about areas of authority

- Deliberately use general terms
- Need input on gaps
- Authority in other Acts
- Results:
  - many provisions made redundant
  - few legislative amendments

Governmental powers

Would include power to:

- Regulate
- Prohibit
- Provide system of licences, permits, approvals & registration
- Tax

Key points about governmental powers

- Available in all areas of authority
- By-laws could apply to part of the municipality
- Results:
  - Municipalities can prevent problems, avoiding expensive remedial action

Natural person powers

Would enable municipalities to:

- Set administrative priorities
- Delegate administrative responsibilities
- Enter into agreements
- Sell / dispose of assets
- Hire staff & provide benefits
- Contract for services
- Purchase land, buildings & assets

Key points about natural person powers

- Similar to current powers but enables much less prescriptive legislation
- Scope
- Limits
- Results:
  - Municipalities will be able to develop innovative administrative arrangements without specific authority
  - Removes the need for specific provisions

Limitations and special provisions

General limits:

- Provincial/federal statutes prevail
- Powers limited to geographic boundaries
- Restrictions on licensing & user fees continue
- Possible limitations by regulation

Specific limits to reflect provincial interests

Special provisions on some matters, such as road closings

Key points about limits and special provisions

- Limits are reasonable
- Some special provisions to follow
- Other legislation continues to apply
- Results:
  - Provincial interests protected
  - Private sector can operate without undue interference

Areas of authority in a two-tier system

- Starting point to provide certainty
- Municipal Act reform would not change relationship between tiers
- Lower tiers would have powers not assigned to upper tier
- Upper-tier powers continue, but stated in general terms
- Both tiers would have authority in some areas
- Service migration provisions expanded

Key points about areas of authority in a two-tier system

- Table summarizes division of responsibilities
- Municipalities could enter into agreements with each other
- Other legislation continues to apply
- Results:
  - Flexibility to govern and deliver services effectively
  - Transfer of service responsibilities only with wide local support

Other non-financial changes

- Three types of municipalities
- Discretion about municipal name
- Responsibilities of council, head & administration
- Administrative organization
- Filling vacancies
- Elimination of tax-free allowances
- Consultation / notice requirements
- General power of entry for inspection

Municipal finance - financial changes

- Finance provisions to be more prescriptive than non-finance provisions
- Draft legislation not included in package

Proposed areas of financial changes

- Financial reporting & administration
- Special area taxation
- Tax collection & tax sales
- User fees
- Business improvement areas
- Community improvement

Financial reporting & administration

- Promotes disclosure
- Enhances municipal accountability

Special area taxation

- Municipal ability to impose additional mill rate currently limited
- Recommendations to broaden this power with respect to restructuring
- Need input on scope of power for non-restructuring situations

Tax collection & tax sales

- Proposed provisions remain prescriptive to protect municipalities and taxpayers
- Provisions would be streamlined

User fees

- Elimination of specific provisions in other Acts, except those deemed as taxes

Business Improvement Areas

- Changes made to recognize proposed elimination of Business Occupancy Tax in Fair Municipal Finance Act, 1997
- Other streamlining changes proposed

Community improvement

- Planning Act changes to give municipalities more authority
- Need input on appropriate tools for revitalization of areas in need

4. Your input

Review and comment on consultation documents:

- Paper describes proposed overall direction
- Draft legislation:
  - Natural person powers
  - Areas of authority
  - Governmental powers
  - Restrictions

How to provide input

- Write: Hon. Al Leach
  Minister of Municipal Affairs and Housing
  777 Bay Street
  Toronto, Ontario, M5G 2E5
- FAX: 416-585-7464
- E-mail: mmah@gov.on.ca

Mark any correspondence: "New Municipal Act"

Deadline: Friday, May 9, 1997

5.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Referral from City Council - Survey of Fire Defences of the City of Hamilton

DATE: 1997 April 30

Attached herewith is a letter dated 1997 April 8th from Michael G. McKenna, Surveyor, Ontario Region, Fire Underwriters Survey respecting a Survey of Fire Defences of the City of Hamilton.

Please be advised that this correspondence was presented to City Council at its meeting held Tuesday, 1997 April 29th, and subsequently referred to the Finance and Administration Committee.

Would you please ensure that this correspondence is placed before your Committee for its consideration.

JJS/SKR

Attachment

cc J. Pavelka, Chief Administrative Officer
Acting Fire Chief Desjarlais
A. Ross, Treasurer

FIRE UNDERWRITERS SURVEY
A SERVICE TO INSURERS AND MUNICIPALITIES

c/o Insurers' Advisory Organization (1989) Inc., 18 King Street East, Suite 700, Toronto, Ont. M5C 1C4
Tel: (416) 601-1801 • Fax: (416) 368-7703

April 8, 1997

OFFICE OF THE CITY CLERK
APR 17 1997
REC. BY ... DATE
REFD TO ... DATE
REFD TO ... DATE
REFD TO ... DATE
ACT. DT. ...

Mr. J. Schatz,
City of Hamilton,
71 Main Street West.
Hamilton, Ontario.
L8N 3T4.

Dear Sir:

In 1996, a survey of the fire defences of the City of Hamilton was conducted by Fire Underwriters Survey for fire insurance classification purposes. Our analysis of this survey has been completed and the following comments are offered for the consideration of the City's Administration.

The City of Hamilton is a very good Class 2 (in the Insurance Bureau of Canada's 10 Class Commercial Grading System) and is in fact very close to becoming Canada's second Class 1.

Water Supply

The water supply facilities, although contracted out by the Region, appear to be well maintained.

The water distribution system, operated by the Regional Municipality, is generally well maintained. The new hydrant maintenance programme will greatly enhance the reliability of the hydrants and has lead to a virtually 0% failure rate in one Region Municipality where it has been adopted.

We would, however, recommend an increase in the valve inspection frequency to at least once every two years as presently non-operational valves on smaller mains could go unnoticed for four years. Secondly, valves located on hydrant laterals should be inspected and operated in conjunction with the hydrant inspection programme.

Fire Department

The Hamilton Fire Department has a long history of being a leader in the use of modern techniques and innovations and has a progressive management team. The department has undergone recently a serious decrease on personnel resulting in the fire department having to replace 2 pumpers (#7 and #11), 2 aerials (#9 and #11) and a car (#6) with a minimum normal staffing

totalling 18 with two pumper-ladder combination units (Quints) with a shorter aerial (23 m) ladders versus the 30 m ladders found on regular aerials (Quints) with a normal total staff of ten.

Even with these severe reductions the fire department has, thorough improved training, apparatus, maintenance programmes and new communication facilities maintained its Commercial Classification of 2.

However, we feel any further reductions will seriously affect the Department's ability to respond promptly and adequately to serious situations, especially in the lower area of the City (Wards 1 to 5), as well as leading in a reduction in the Commercial Classification.

Training - The Fire Department's training programme is very well planned and implemented with very good use being made of the facilities at the Simulated Fire and Rescue Complex. However, as self-contained breathing apparatus re qualification takes up valuable time at the complex, which could better used for multi-company training exercises, consideration should be given to the construction of a "Mask Maze" in an alternate location. In addition, the complex appears to require additional funding for maintenance purposes as during our visits the general condition of the property appears to have deteriorated.

Communications - The Department's new communication facilities at fire station No. 4 are a great improvement over those formerly located in the fire department headquarters building. However, there are many shifts when only one fully trained operator is available. The fire fighters who staff the communications centre on an as required basis are well trained but cannot have the training and experience of a full time operator. In addition, the use of fire fighters depletes the vehicle staffing. With the ever increasing complex dispatching facilities and alarm requirements (The centre handles over 13,400 City calls and over 4,100 calls for the other regional municipalities) there is a definite need for two fully trained operators to be on duty at all times. During the weekday day- time hours the increased workload of around 250 to 300 calls per day (alarm company tests, business calls, etc.). Immediate consideration should be given to increasing the division staffing to provide two trained operators on duty at all times and three during the day time, weekday shifts.

Additionally, consideration should be given to appointing a second in command of the Division to ensure training of full time and part time operators is carried out on a consistent basis, to directly supervise the alarm room and to replace the Communications Officer during the latter's absence on vacation etc.

Mechanical Division - This Division consistently provides the department with a first rate, cost effective maintenance programme for its apparatus and equipment. In addition, many of its innovative undertakings such as its woodworking shop and sewing shop (which sews and sizes the department's bunker gear) provide cost savings to the City.

Fire Prevention - The Fire Prevention Division, in conjunction with the in-service inspection programme, does a very good job of inspection and preventing fires in the City.

Together with the department's volunteer speakers (who undertake public education work) and the Departments Public Relation Officer the City's citizens are well provided with information and fire safety knowledge.

Fire Fighting Division - The vast majority of staff reductions have occurred in this division. Although fires make up a smaller percentage of the total number of calls the total calls have increased 59% in the ten years from 1986 to 1995 (with a population growth from 307,690 to 319,281). Any further reduction in this division could seriously affect the department's ability to respond promptly and adequately to emergency situations.

The loss of aerial No. 9 has left the northeast lower area of the City with inadequate ladder service. Although "Quint" No. 7 has been placed in service at fire station No. 7 its 23 metre aerial device lacks the reach of the 30 meter ladder on Aerial No. 9 it replaces. Consideration should be given to relocating Platform No. 6 (re-equipped with a modern 30 meter aerial ladder truck) to fire station No. 9. At this time Ladder (Quint) No. 7 should be relocated to fire station No. 3 to provide ladder service in the West Mountain area with Pumper No. 3 being relocated to fire station No. 7. Rescue No. 9 will have to be temporarily relocated to fire station No. 6 due to lack of space in hall No. 9.

Although well located fire station No. 9 is in poor condition and needs replacement. It is recommended that the vacant police building adjacent to it be demolished and a new fire hall be constructed on its site. When it is completed the present station should be demolished. In addition to providing the apparatus and crews with a modern facility the open area created will provide a training area presently lacking at this station. As soon as the new fire hall is finished Rescue Company No. 9 should be relocated to this station.

Fire station No. 8 is too small to house modern apparatus. Although ideally it should be relocated eastwards to the area of Barton Street East and Centennial Parkway. Financial constraints may make it more cost effective to renovate the present hall to allow accommodation of a modern vehicle. After renovations are completed Pumper No. 8 should be replaced by a triple combination pumper equipped with 15 metre light ladder (commonly known as a telesquirt), to provide elevated stream and light ladder service to this area of the City with its commercial properties and multi-family dwelling units.

Both fire stations Nos. 10 and 11 require renovation and modernization. Instead of renovating both these stations it may be more cost-effective to construct a combined station a short distance to the east of No. 10, to house both ladder (Quint) No. 10 and pumper No. 11. Alternatively, fire station No. 10 should be thoroughly renovated and modernized. At this time fire station No. 11 should be closed and Pumper No. 11 relocated to this station. In any case it is essential in

view of the life risk potential, that this area of the City (Ward 1) maintain two fire companies (one with an aerial device) to provide a timely and co-ordinated first response.

Due to the high number of calls, life risk and fire potential in the downtown core it is recommended that fire station No. 1 maintain its present four fire companies (two pumpers, an aerial and a rescue unit).

With the decreased number of firefighting companies available the Fire Department should consider equipping the recommended Aerial No. 9 and all future aerials with a pump of 5000 litre per minute capacity and water supply hose. This would allow the aerials to provide their own water supply for elevated stream service and thus avoid tying-up an additional pumper to supply the unit. Please note that these units are not "Quints" such as Nos. 7 and 11 equipped with smaller 23 metre aerial ladders and able to provide pumper service but rather full 30 metre aerials. In recognition of the ability to provide their own water supply pump equipped aerials such as that proposed for Aerial No. 9 are given credit as an aerial company plus 1/2 a pumper company in our grading of fire department.

Due to the personnel cutbacks there are times when there are insufficient staff available for all apparatus resulting in a vehicle (usually an aerial truck) being temporarily placed out of service. Although the City is increasingly having to review its funding and look for money saving opportunities we strongly feel that in view of the cutback (loss of 3 vehicles) already undertaken the City cannot afford to have vehicles temporarily out of service due to staffing shortages as it could easily result in a delayed response of essential apparatus. Additional staff should be provided to ensure that all apparatus is kept in service at all times. If required the department should consider reducing the staffing of Quints Nos. 7 and 11 to four when necessary. Another alternative may be to pay overtime to keep minimum staffing on duty.

We are prepared to assist the City at any time in matters relating to public fire protection and prevention.

May we express our appreciation for the willing and courteous assistance given to us by the various department officials and staff during this survey.

Yours truly,

Michael G. McKenna,
Surveyor,
Ontario Region.

cc: Fire Chief, Hamilton Fire Department.

6.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 30

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka
Chief Administrative Officer

G.L. Desjarlais
Acting Fire Chief

SUBJECT: Emergency Vehicle Replacement

RECOMMENDATION:

a) That the purchasing process to replace the Hamilton Fire Department Snorkel Truck, City # 1671, commence immediately at an estimated cost of $800,000 with the replacement vehicle delivery and payment scheduled for early 1998.

b) That the present Snorkel Truck, City # 1671 be decommissioned and offered for sale.

c) That the Finance and Administration Committee recommend the method of financing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Snorkel Truck is scheduled for replacement in 1998 and is part of Project No. 56.1 in the 1997 - 2006 Capital Budget.

It is anticipated that the Snorkel Truck will require major repairs including non-destructive testing, body and frame repairs which could exceed $80,000 if the vehicle is retained until its scheduled replacement at the end of 1998. Starting the replacement process now is a reasonable course of action as the Corporation would not recover the cost of these repairs upon the sale of the vehicle.

BACKGROUND:

The 1996 Fire Underwriters' Survey and the Hamilton Master Fire Plan have recommended the placement of a modern aerial truck in the Kenilworth Fire Station. The height of the apparatus door at Kenilworth Fire Station limits our ability to place only one of our aerial trucks in this station.

The Snorkel is scheduled for replacement in 1998 at an estimated cost of $800,000. Technology has changed since the Snorkel was put into service and more modern methods of providing fire protection have moved away from this type of vehicle. The Snorkel will be replaced with a comparably priced 100 ft. Aerial Ladder Truck.

The Shawinigan (Quebec) Fire Department has recently expressed an interest in purchasing this vehicle. Fire apparatus in Quebec is not subject to the same non-destructive testing regulations as in Ontario.

Although subject to formal quotes being received, it is anticipated that between $70,000 and $80,000 could be received for the sale of this vehicle.

JGP/GLD/rdj

c.c. A. Ross, Treasurer **Attention: N. Adhya, Manager of Budgets**
C. Rendell, Intermediate Buyer

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Emergency Vehicle Replacement - Financing

RECOMMENDATION:

(a) That the City Treasurer be authorized to advance $800,000 from the 1998 Capital Budget for the replacement of the Hamilton Fire Department Snorkel Truck, City #1671 and the cost be financed by the Reserve for Replacement of Motorized Equipment, Account Centre No. CH 00101; and

(b) That the City Treasurer be authorized to revise the 1997-2006 Capital Budget Program and to reduce 1998 Project No. 56.1 Fire Department - Vehicle/Apparatus Replacement by $800,000 from $1,870,000 to $1,070,000.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The details of the above project are outlined in the letter of 1997 April 30 from J.G. Pavelka, Chief Administrative Officer and G.L. Desjarlais, Acting Fire Chief.

NRA:jc

8

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 14

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Leasing Supplier for PC Workstations, Printers, File Servers, and Network Equipment.
(INF 97-108).

RECOMMENDATION:

a) That IBM Canada Limited of Markham, Ontario provide leasing services for PCs, printers, file servers and network equipment for a maximum one year period to 1998 April 30th, at the base rate of $26.55/$1,000/month for a 36 month operating lease and $30.65/$1,000/month for a 36 month Capital lease, (the lowest of *ten* proposals received).

b) That the IBM be permitted to adjust the leasing rate, subject to approval by the Treasurer, during the contract period in accordance with documented fluctuations in the yield on Government of Canada Bonds.

c) That decisions to acquire equipment via an operating, or capital lease, or purchase be made, in consultation with the Treasurer.

d) That the Mayor and the City Clerk be authorized to execute the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor, the City Treasurer and the Director of Information Systems (the City of Hamilton is the lessee).

e) That funding be provided from Account # CH56605-26032 (Workstation Leasing).

J.G. Pavelka, P.Eng.

J. G. Hindson, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding is provided within the approved annual City budget. The IBM proposal has a minimum total lease amount of $500,000 over the period of the contract.

BACKGROUND:

Requests for leasing services proposals were issued to potential suppliers. *Ten* responses were received by the closing date of 1997 January 30th.

The leasing proposals were evaluated on the basis of the lowest monthly cost. A requirement of the proposals was that any lease include a provision that the lessee could return the equipment at the end of the lease, continue to lease at a reduced rate, or acquire the equipment at Fair Market Value. This provides for maximum flexibility to the Corporation.

On the basis of the summary of the proposal results (as indicated in the attached table), it is recommended that leasing services be acquired from IBM Canada of Markham, Ontario (the lowest cost proposal). During the period of the contract fluctuations in the lease rate may occur in accordance with changed market conditions as determined by fluctuations in the Government of Canada Bond Yield.

The decision to lease or purchase should be based on an evaluation of several factors:

1) Lowest "cost of use" for the time period the equipment will be used.
2) The end-of-lease value.
3) The ease (or difficulty) of disposal of the equipment at the end of the lease.
4) Any potential requirements to improve or upgrade the equipment during the lease period.
5) The availability of any of external funding (grants) that would only apply to equipment purchases.
6) The availability of other internal or external funding sources that would favour leasing or purchasing.

As factors and circumstances may be different, it is recommended that leasing or purchasing decision be made in consultation with the respective Corporation's financial advisors.

c.c. Mr. A. C. Ross, Treasurer, City of Hamilton

1997 SUMMARY OF LEASING PROPOSALS RECEIVED *(1997 JANUARY 30TH)* FOR PCs and RELATED EQUIPMENT BASED ON 36 MONTH LEASE:

OPERATING LEASES

COMPANY NAME	LOCATION	RATE/$K/month <$50K	$50-100K	$100-200K	
IBM Canada Limited	Markham	26.55	26.55	26.55	<-- RECOMMENDED
GE Capital Technology Services	Mississauga	26.76	26.76	26.76	
HP Canada	Mississauga	27.00	27.00	27.00	
Amsdell	Richmond Hill	27.00	27.00	27.00	
AT&T	Willowdale	28.14	28.50	28.50	
Greyvest Technology Inc.	Toronto	28.18	27.71	27.71	
Scott Capital Group Inc.	Mississauga	28.50	28.50	28.50	
MFP Technology Services Ltd.	Mississauga	28.74	28.74	28.74	
Samark (Network)	Oakville	30.25	30.25	30.50	
MTC Leasing	Burlington	32.50	32.27	32.03	

CAPITAL LEASES

COMPANY NAME	LOCATION	RATE/$K/month <$50K	$50-100K	$100-200K	
IBM Canada Limited	Markham	30.65	30.65	30.65	<-- RECOMMENDED
GE Capital Technology Services	Mississauga	31.00	31.00	31.00	
HP Canada	Mississauga	30.70	30.70	30.70	
Amsdell	Richmond Hill	30.70	30.70	30.70	
AT&T	Willowdale	31.29	31.09	31.09	
Greyvest Technology Inc.	Toronto	32.75	32.25	32.25	
Scott Capital Group Inc.	Mississauga	31.70	31.70	31.70	
Samark (Network)	Oakville	31.48	31.48	31.48	

Disqualified

MTC Leasing	*(error)*	*11.50*	*11.50*	*10.50*	

9.

CITY OF HAMILTON

- RECOMMENDATION -

APR 30 1997

DATE: 1997 April 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 16 Magill Street

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedure By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

This property has been circulated to all City and Regional Departments and associated boards and commissions and there has been no declared municipal interest.

The property at 16 Magill Street was formally known as Carpark #65 and was declared surplus at the Parking Authority meeting of 1997 February 17. This property occupies an area of 76 feet x 110 feet and is zoned H/S-520 & S-745 (Community Shopping and Commercial - subject to special requirements). This lot was developed in 1983 on lands that were surplus to the City's requirements for the York Boulevard Improvement Project. The lot abuts the property of the Hamilton Construction Association offices.

RJH/nw

c.c. Alderman M. Kiss, Alderman, Ward 1
Alderman M. Caplan, Alderman, Ward 1
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
P. G. Baker, General Manager, Hamilton Parking Authority


HAMILTON CITY LIMITS
CANADIAN NATIONAL RAILWAY FREIGHT YARDS
CANADIAN NATIONAL RAILWAYS
K
E
D
A
H
A/S-569
A/S-450
D/S 450
E-3/S-086
E-3/S-138
E/S-333
E-3/S-1208a
J/S-1208a
H/S-481
H/S-745
H/S-7008&9
H/S-8318
E/S-481
E/S-450
D/S-450 A.S-1043
SITE PLAN CONTROL BY LAW 80-003
SITE PLAN CONTROL BY-LAW 82-251
BARTON STREET WEST
KING STREET WEST
QUEEN STREET NORTH
TOM STREET
FLORENCE STREET
LAMOREAUX STREET
HEAD STREET
PETER STREET
MORDEN STREET
NAPIER STREET
MARKET STREET
GEORGE STREET
TECUMSEH STREET
YORK STREET
LOCKE STREET
DUNDURN STREET
STRATHCONA AVENUE
DEVONPORT STREET
BOULEVARD
EDISON ST.
HENRY ST.
MARGARET AVENUE
CR-2
G-3

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 April 22

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Joe Pavelka
Chief Administrative Officer

SUBJECT: 1997 Christmas Closure

RECOMMENDATION:

That in addition to the traditional closure of City Hall and some other municipal facilities and services for the period between Christmas and New Year's, that approval be granted to also close on Friday, January 2, 1998 as part of the 1997 Christmas closure.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Further savings would be realized from those staff who elect to take the additional day as an unpaid day.

BACKGROUND:

City Hall and some other municipal facilities and services have been closed between Christmas and New Year's for the past two years without any significant problems being encountered. Many staff elect to take the closure period as unpaid time instead of vacation days and this enables savings in each departments current budget.

Closing on Friday, January 2, 1998 would not significantly affect municipal services as essential service would continue as it does through the Christmas to New Year's period. The Region for reasons associated with Social Services will not be closing on Friday, January 2, 1998. They have agreed that there would no problem associated with City Hall being closed to the public on the Friday even though they would have limited staff working in their regional department in City Hall.

The normal advertising that is done to advise the general public of the Christmas closure would be expanded to include Friday, January 2, 1998.

"Copy sent to Alderman Charters, Chairman, Finance & Administration Committee; J. Pavelka, Chief Administrative Officer; A. Ross, Treasurer; and D. Vyce, Director of Property - 1997 April 29th"

Hamilton
Entertainment
and Convention
Facilities Inc.

11.

MEMO TO : **FINANCE AND ADMINISTRATION COMMITTEE**
Attention: Ms. S. Reeder, Secretary

FROM : Alderman T. Anderson, Chairman
HECFI Board of Directors

DATE : 1997 April 21

SUBJECT : **BARRIER FREE STANDARDS COMPLIANCE - HECFI FACILITIES**

The City of Hamilton Building Department recently completed a survey of the HECFI facilities which identified a number of upgrades and renovations necessary to bring these buildings into compliance with the City of Hamilton barrier free design standards.

The identified upgrades and renovations are summarized for the individual facilities on the enclosed forms and have been estimated to cost $111,000.00 in total for the three buildings.

Copps Coliseum, Hamilton Place and The Hamilton Convention Centre combined, attracted in excess of 1,000,000 patrons to events and functions in 1996. It is imperative that these facilities comply with the standards established by the City of Hamilton relating to barrier free accessibility.

The City of Hamilton has established Capital funding necessary to undertake similar upgrades and renovations at other properties owned by the Corporation. On behalf of the HECFI Board of Directors, I am requesting that the renovations identified for the HECFI facilities be considered when the decision to allocate funding is made.

I thank you for your attention to and consideration of this request.

Yours very truly,

Alderman T. Anderson,
Chairman,
HECFI Board of Directors

cc: Mr. G. Macaluso, Managing Director/CEO, HECFI

FILE: BF-001

BUILDING DEPARTMENT
CITY OF HAMILTON

Copps Coliseum
Address of Project

DATE: 97-02-05

BARRIER FREE STANDARDS COMPLIANCE - EXISTING STATUS SUMMARY
PRELIMINARY SCOPE OF WORK

ITEM	STATUS	ESTIMATE	REMARKS
1. ACCESSIBLE ROUTE PATH ETC.			
1 PATH WIDTH - 1800 mm	O.K.		
2 SLOPES / RAMPS - 1:20	Required	$2,000.00	At Staff entrance
3 THRESHOLDS - Max. 1/2" High	Required	$500.00	At Staff entrance
4 HANDRAILS, CURBS, GUARDS	--		
5 PROTRUDING OBJECTS	--		
6 SURFACES, FINISHES	--		
7 EXTERIOR STAIRS	--		
8 LANDSCAPING - 900 mm away from path	--		
9 PARKING - 1-25 = 1 B.F. space	--		
2. BUILDING			
1 ENTRANCES DOORWAYS & HARDWARE	Required	$2,000.00	Two door operators are needed
2 INTERIOR CIRCULATION	O.K.		
3 CORRIDORS	O.K.		
4 ELEVATING DEVICES & ESCALATORS	O.K.		Staff on hand all the time
5 ELEVATED PLATFORMS	--		Staff on hand all the time
6 INTERIOR STAIR	--		**variance required for non-compliance**
7 WASHROOMS & W.Cs	Required	$17,000.00	Minor modifications required + one in admin. area
8 URINALS	--		
9 LAVATORIES & ACCESSORIES	--		
10 SPECIAL WASHROOMS	--		
11 SHOWER STALLS	--		
12 DRINKING FOUNTAINS	O.K.		
13 STORAGES, SHELVES & DISPLAY UNITS	--		
3. ORIENTATION & COMMUNICATION			
1 ALARMS			
2 PUBLIC TELEPHONES			
3 WAY FINDING SIGNAGE	Required	$1,000.00	Co-ordinated signage is needed through out the bldg
4 WARNING SURFACES			
4. SPECIAL CONSIDERATIONS			
1 CONCESSIONS / RECEPTION AREA	Do not comply	??	Leased spaces
2 CHANGE FACILITIES			
3 TICKET BOOTH	Required	$10,000.00	At least one booth should comply
4 WHEELCHAIR LOCATIONS			
5 OFFICE EQUIPMENT			
6 MEETING ROOMS			
7 PARKS			
8 SEATING / SENSORS	???	???	10% of the total and should be dispersed through out.
9 PLANTS, TREES			**Variance for 4.8 above, is required**
10 SIGNAGE	Required	$500.00	
11 REST AREAS			
12 ILLUMINATION			
13 FOR LIBRARIES SEE PAGES 171-175			
5. EMERGENCY EXITING & EVACUATION			
1 REFUGE SPACE	Required	see note	Staff always present and helps persons in wheelchairs
2 EVACUATION PROCEDURES			first in case of emergency. Waiver to be requested
SUBTOTAL		$33,000.00	
Contingency @ 20%		$6,600.00	
TOTAL		**$39,600.00**	Does not include 24.78% other expenses

FILE: BF-001

BUILDING DEPARTMENT
CITY OF HAMILTON

Convention Centre
Address of Project

DATE: 97-02-05

BARRIER FREE STANDARDS COMPLIANCE - EXISTING STATUS SUMMARY
PRELIMINARY SCOPE OF WORK

ITEM	STATUS	ESTIMATE	REMARKS
1. ACCESSIBLE ROUTE PATH ETC.			
1 PATH WIDTH - 1800 mm	--		
2 SLOPES / RAMPS - 1:20	--		
3 THRESHOLDS - Max. 1/2" High	--		
4 HANDRAILS, CURBS, GUARDS	--		
5 PROTRUDING OBJECTS	--		
6 SURFACES, FINISHES	--		
7 EXTERIOR STAIRS	--		
8 LANDSCAPING - 900 mm away from path	--		
9 PARKING - 1-25 = 1 B.F. space	--		
2. BUILDING			
1 ENTRANCES DOORWAYS & HARDWARE	--		
2 INTERIOR CIRCULATION	--		
3 CORRIDORS	--		
4 ELEVATING DEVICES & ESCALATORS	--		
5 ELEVATED PLATFORMS	--		
6 INTERIOR STAIR	--		
7 WASHROOMS & W.Cs	Required	$12,000.00	Six washrooms at 3-levels needs minor modifications
8 URINALS	--		
9 LAVATORIES & ACCESSORIES	--		
10 SPECIAL WASHROOMS	--		
11 SHOWER STALLS	--		
12 DRINKING FOUNTAINS	--		
13 STORAGES, SHELVES & DISPLAY UNITS	--		
3. ORIENTATION & COMMUNICATION			
1 ALARMS	--		
2 PUBLIC TELEPHONES	--		
3 WAY FINDING SIGNAGE	--		
4 WARNING SURFACES	--		
4. SPECIAL CONSIDERATIONS			
1 CONCESSIONS / RECEPTION AREA	--		
2 CHANGE FACILITIES	--		
3 TICKET BOOTH	--		
4 WHEELCHAIR LOCATIONS	--		
5 OFFICE EQUIPMENT	--		
6 MEETING ROOMS	--		
7 PARKS	--		
8 SENSORS	--		
9 PLANTS, TREES	--		
10 SIGNAGE	--		
11 REST AREAS	--		
12 ILLUMINATION	--		
13 FOR LIBRARIES SEE PAGES 171-175	--		
5. EMERGENCY EXITING & EVACUATION			
1 REFUGE SPACE			
2 EVACUATION PROCEDURES			
	SUBTOTAL	$12,000.00	
	Contingency @ 20%	$2,400.00	
	TOTAL	**$14,400.00**	Does not include 24.78% other expenses

FILE: BF-001

BUILDING DEPARTMENT
CITY OF HAMILTON

Hamilton Place
Address of Project

DATE: 97-02-05

BARRIER FREE STANDARDS COMPLIANCE - EXISTING STATUS SUMMARY
PRELIMINARY SCOPE OF WORK

ITEM	STATUS	ESTIMATE	REMARKS
1. ACCESSIBLE ROUTE PATH ETC.			
1 PATH WIDTH - 1800 mm	O.K.		
2 SLOPES / RAMPS - 1:20	Required	$30,000.00	Staff entrance from Mc Nab Street needs ramp
3 THRESHOLDS - Max 1/2" High	See 2.1		
4 HANDRAILS, CURBS, GUARDS	–		
5 PROTRUDING OBJECTS	–		
6 SURFACES, FINISHES	–		
7 EXTERIOR STAIRS	–		
8 LANDSCAPING - 900 mm away from path	–		
9 PARKING - 1-25 = 1 BF space	See Remarks		Included in project no.35 Parking Garage, Ham. Place
2. BUILDING			
1 ENTRANCES DOORWAYS & HARDWARE	Required	$2,000.00	Staff entrance from Mc Nab Street needs revision
2 INTERIOR CIRCULATION	–		
3 CORRIDORS	–		
4 ELEVATING DEVICES & ESCALATORS	Required	$10,000.00	If additional seating to be provided
5 ELEVATED PLATFORMS	–		
6 INTERIOR STAIR	–		
7 WASHROOMS & W.Cs	Required	$500.00	Level 1 signage + minor modification
8 URINALS	–		
9 LAVATORIES & ACCESSORIES	–		
10 SPECIAL WASHROOMS	–		
11 SHOWER STALLS	–		
12 DRINKING FOUNTAINS	–		
13 STORAGES, SHELVES & DISPLAY UNITS	–		
3. ORIENTATION & COMMUNICATION			
1 ALARMS	--		
2 PUBLIC TELEPHONES	--		
3 WAY FINDING SIGNAGE	--		
4 WARNING SURFACES	--		
4. SPECIAL CONSIDERATIONS			
1 CONCESSIONS / RECEPTION AREA	--		
2 CHANGE FACILITIES	--		
3 TICKET BOOTH	Required	$5,000.00	One booth needs to be modified
4 WHEELCHAIR LOCATIONS	--		
5 OFFICE EQUIPMENT	--		
6 MEETING ROOMS	--		
7 PARKS	--		
8 SENSORS	--		
9 PLANTS, TREES	--		
10 SIGNAGE	--		
11 REST AREAS	--		
12 ILLUMINATION	--		
13 FOR LIBRARIES SEE PAGES 171-175	--		
5. EMERGENCY EXITING & EVACUATION			
1 REFUGE SPACE			
2 EVACUATION PROCEDURES			
	SUBTOTAL	$47,500.00	
	Contingency @ 20%	$9,500.00	
	TOTAL	**$57,000.00**	Does not include 24.78% other expenses

Hamilton
Entertainment
and Convention
Facilities Inc.

One Summers Lane,
Hamilton, Ontario
L8P 4Y2
Tel. (905) 546-3000
Fax. (905) 546-3002

FOR INFORMATION

MEMO TO : OPERATIONS COMMITTEE

FROM : Mr. G. Macaluso,
Managing Director/CEO

: Mr. B. Calder, P.Eng.,
Director of Operations/Events Delivery

DATE : 1997 April 8

SUBJECT : **BARRIER FREE STANDARDS COMPLIANCE - HECFI FACILITIES**

RECOMMENDATION:

THAT THE FOLLOWING REPORT BE RECEIVED FOR INFORMATION PURPOSES.

BACKGROUND:

In October 1994, the Hamilton City Council adopted barrier free design standards for all owned and leased City of Hamilton buildings and facilities.

These standards surpass the requirements established by the Ontario Building Code.

In February 1997, the City of Hamilton Building Department conducted a survey of the HECFI facilities with a view to identifying areas which required upgrading and renovations necessary to bring the facilities into compliance with the standards established by the City of Hamilton.

Attached please find a summary of upgrades/renovations relating to Copps Coliseum, the Convention Centre and Hamilton Place, as prepared by the Building Department.

At that time, there were indications that the City of Hamilton may have surplus funding available to assist HECFI with the identified upgrades/renovations. Since that time, we have been subsequently advised by the Director of Culture and Recreation and the Building Commissioner that such funding does not exist to assist HECFI.

The upgrades/renovations suggested can be categorized as minor and major in nature. Minor upgrades include the installation of signage and power assisted door operators, revisions to entrance doorways i.e. thresholds, door swings, and revisions to washroom fixtures i.e. mirrors, faucets. Major renovations include modifications to the box office wickets i.e. one each at both Copps Coliseum and Hamilton Place, the construction of a ramp at the stage door of Hamilton Place and the installation of a mechanical lifting device in the Great Hall.

Minor upgrades can be undertaken subject to availability of funding within the HECFI operating budget. However, major renovations will have to be provided for in future Capital Budget Programme submissions.

G. Macaluso,
Managing Director/CEO.

B. Calder, P.Eng.
Director of Operations/Events Delivery.

BUILDING DEPARTMENT
CITY OF HAMILTON

Copps Coliseum
Address of Project

FILE: BF-001
DATE: 97-02-05

BARRIER FREE STANDARDS COMPLIANCE - EXISTING STATUS SUMMARY
PRELIMINARY SCOPE OF WORK

	ITEM	STATUS	ESTIMATE	REMARKS
1.	**ACCESSIBLE ROUTE PATH ETC.**			
1	PATH WIDTH - 1800 mm	O.K.		
2	SLOPES / RAMPS - 1:20	Required	$2,000.00	At Staff entrance
3	THRESHOLDS - Max. 1/2" High	Required	$500.00	At Staff entrance
4	HANDRAILS, CURBS, GUARDS	–		
5	PROTRUDING OBJECTS	–		
6	SURFACES, FINISHES	–		
7	EXTERIOR STAIRS	–		
8	LANDSCAPING - 900 mm away from path	–		
9	PARKING - 1-25 = 1 B.F. space	–		
2.	**BUILDING**			
1	ENTRANCES DOORWAYS & HARDWARE	Required	$2,000.00	Two door operators are needed
2	INTERIOR CIRCULATION	O.K.		
3	CORRIDORS	O.K.		
4	ELEVATING DEVICES & ESCALATORS	O.K.		Staff on hand all the time
5	ELEVATED PLATFORMS	–		Staff on hand all the time
6	INTERIOR STAIR	–		variance required for non-compliance
7	WASHROOMS & W.Cs	Required	$17,000.00	Minor modifications required + one in admin. area
8	URINALS	–		
9	LAVATORIES & ACCESSORIES	–		
10	SPECIAL WASHROOMS	–		
11	SHOWER STALLS	–		
12	DRINKING FOUNTAINS	O.K.		
13	STORAGES, SHELVES & DISPLAY UNITS	–		
3.	**ORIENTATION & COMMUNICATION**			
1	ALARMS			
2	PUBLIC TELEPHONES			
3	WAY FINDING SIGNAGE	Required	$1,000.00	Co-ordinated signage is needed through out the bldg.
4	WARNING SURFACES			
4.	**SPECIAL CONSIDERATIONS**			
1	CONCESSIONS / RECEPTION AREA	Do not comply	??	Leased spaces
2	CHANGE FACILITIES			
3	TICKET BOOTH	Required	$10,000.00	At least one booth should comply
4	WHEELCHAIR LOCATIONS			
5	OFFICE EQUIPMENT			
6	MEETING ROOMS			
7	PARKS			
8	SEATING / SENSORS	???	???	10% of the total and should be dispersed through out.
9	PLANTS, TREES			Variance for 4.8 above, is required
10	SIGNAGE	Required	$500.00	
11	REST AREAS			
12	ILLUMINATION			
13	FOR LIBRARIES SEE PAGES 171-175			
5.	**EMERGENCY EXITING & EVACUATION**			
1	REFUGE SPACE	Required	see note	Staff always present and helps persons in wheelch
2	EVACUATION PROCEDURES			first in case of emergency. Waiver to be requeste
		SUBTOTAL	$33,000.00	
		Contingency @ 20%	$6,600.00	
		TOTAL	**$39,600.00**	Does not include 24.78% other expenses

BFD41

BARRIER FREE STANDARDS COMPLIANCE - EXISTING STATUS SUMMARY
PRELIMINARY SCOPE OF WORK

ITEM	STATUS	ESTIMATE	REMARKS
1. ACCESSIBLE ROUTE PATH ETC.			
1 PATH WIDTH - 1800 mm	–		
2 SLOPES / RAMPS - 1:20	–		
3 THRESHOLDS - Max. 1/2" High	–		
4 HANDRAILS, CURBS, GUARDS	–		
5 PROTRUDING OBJECTS	–		
6 SURFACES, FINISHES	–		
7 EXTERIOR STAIRS	–		
8 LANDSCAPING - 900 mm away from path	–		
9 PARKING - 1-25 = 1 B.F. space	–		
2. BUILDING			
1 ENTRANCES DOORWAYS & HARDWARE	–		
2 INTERIOR CIRCULATION	–		
3 CORRIDORS	–		
4 ELEVATING DEVICES & ESCALATORS	–		
5 ELEVATED PLATFORMS	–		
6 INTERIOR STAIR	–		
7 WASHROOMS & W.Cs	Required	$12,000.00	Six washrooms at 3-levels needs minor modifications
8 URINALS	–		
9 LAVATORIES & ACCESSORIES	–		
10 SPECIAL WASHROOMS	–		
11 SHOWER STALLS	–		
12 DRINKING FOUNTAINS	–		
13 STORAGES, SHELVES & DISPLAY UNITS	–		
3. ORIENTATION & COMMUNICATION			
1 ALARMS	–		
2 PUBLIC TELEPHONES	–		
3 WAY FINDING SIGNAGE	–		
4 WARNING SURFACES	–		
4. SPECIAL CONSIDERATIONS			
1 CONCESSIONS / RECEPTION AREA	–		
2 CHANGE FACILITIES	–		
3 TICKET BOOTH	–		
4 WHEELCHAIR LOCATIONS	–		
5 OFFICE EQUIPMENT	–		
6 MEETING ROOMS	–		
7 PARKS	–		
8 SENSORS	–		
9 PLANTS, TREES	–		
10 SIGNAGE	–		
11 REST AREAS	–		
12 ILLUMINATION	–		
13 FOR LIBRARIES SEE PAGES 171-175	–		
5. EMERGENCY EXITING & EVACUATION			
1 REFUGE SPACE			
2 EVACUATION PROCEDURES			
	SUBTOTAL	$12,000.00	
	Contingency @ 20%	$2,400.00	
	TOTAL	$14,400.00	Does not include 24.78% other expenses

BF041

FILE BF-001

BUILDING DEPARTMENT
CITY OF HAMILTON

Hamilton Place
Address of Project

DATE: 97-02-05

BARRIER FREE STANDARDS COMPLIANCE - EXISTING STATUS SUMMARY
PRELIMINARY SCOPE OF WORK

ITEM	STATUS	ESTIMATE	REMARKS
1. ACCESSIBLE ROUTE PATH ETC.			
1 PATH WIDTH - 1800 mm	O.K.		
2 SLOPES / RAMPS - 1:20	Required	$30,000.00	Staff entrance from Mc Nab Street needs ramp
3 THRESHOLDS - Max 1/2" High	See 2.1		
4 HANDRAILS, CURBS, GUARDS	–		
5 PROTRUDING OBJECTS	–		
6 SURFACES, FINISHES	–		
7 EXTERIOR STAIRS	–		
8 LANDSCAPING - 900 mm away from path	–		
9 PARKING - 1-25 = 1 BF space	See Remarks		Included in project no.35 Parking Garage, Ham. Place
2. BUILDING			
1 ENTRANCES DOORWAYS & HARDWARE	Required	$2,000.00	Staff entrance from Mc Nab Street needs revision
2 INTERIOR CIRCULATION	–		
3 CORRIDORS	–		
4 ELEVATING DEVICES & ESCALATORS	Required	$10,000.00	If additional seating to be provided
5 ELEVATED PLATFORMS	–		
6 INTERIOR STAIR	–		
7 WASHROOMS & W.Cs	Required	$500.00	Level 1 signage + minor modification
8 URINALS	–		
9 LAVATORIES & ACCESSORIES	–		
10 SPECIAL WASHROOMS	–		
11 SHOWER STALLS	–		
12 DRINKING FOUNTAINS	–		
13 STORAGES, SHELVES & DISPLAY UNITS	–		
3. ORIENTATION & COMMUNICATION			
1 ALARMS	–		
2 PUBLIC TELEPHONES	–		
3 WAY FINDING SIGNAGE	–		
4 WARNING SURFACES	–		
4. SPECIAL CONSIDERATIONS			
1 CONCESSIONS / RECEPTION AREA	–		
2 CHANGE FACILITIES	–		
3 TICKET BOOTH	Required	$5,000.00	One booth needs to be modified
4 WHEELCHAIR LOCATIONS	–		
5 OFFICE EQUIPMENT	–		
6 MEETING ROOMS	–		
7 PARKS	–		
8 SENSORS	–		
9 PLANTS, TREES	–		
10 SIGNAGE	–		
11 REST AREAS	–		
12 ILLUMINATION	–		
13 FOR LIBRARIES SEE PAGES 171-175	–		
5. EMERGENCY EXITING & EVACUATION			
1 REFUGE SPACE			
2 EVACUATION PROCEDURES			
	SUBTOTAL	$47,500.00	
	Contingency @ 20%	$9,500.00	
	TOTAL	**$57,000.00**	Does not include 24.78% other expenses

BFO_01

12.

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 May 1

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R.L. Fair, Director
Culture and Recreation Department

L. King, Commissioner
Building Department

SUBJECT: BARRIER FREE INFRASTRUCTURE PROGRAM - REQUEST FOR FUNDING - HECFI

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total approved budget for Barrier Free projects is $4,044,000. Of this total, $3,356,000 is committed via the Canada-Ontario Infrastructure Program for barrier free design for city-owned facilities.

Of this budget, $648,674 has been spent and a further $140,000 commmitted via tendered contract.

All remaining work has been reviewed; scope of work approved; and budget estimates established on a building by building basis.

Approved funding to complete all required works is insufficient. A further $575,000 may be required to complete all Priority One locations. Staff are attempting to reduce further the scope of work in order to ensure compliance based on available funds.

BACKGROUND:

The Finance and Administration Committee is in receipt of correspondence from the Chairman of the HECFI Board requesting inclusion of its facilities in the Barrier Free project. This report is provided for information purposes. Council has approved several capital projects including an application to the Canada-Ontario Infrastructure Program for grant support finance improvements to city-owned buildings in order ensure compliance with the Barrier Free Guidelines.

The projects, which were developed by the Property Department, did not include HECFI facilities, as the Board of HECFI had its own capital funding program. As a result the initial costing was done without consideration of the requirements of these important city facilities.

In 1996, responsibility for project management was transferred from the Property Department to the Culture and Recreation Department for its facilities and the Building Department for other city buildings. Under the leadership of the Building Commissioner and the Director of Culture and Recreation and with full involvement from the "owner" departments - Property, Library, and Public Works and Traffic, a full review and updating of the original scope of work was completed in March of this year. As a result, 61 city-owned buildings have been targeted for barrier free improvements with priority based on two criteria:

* frequency of public access
* intensity of work required to meet Code and Standards

Facilities that scored highly on both of these measures were placed on the Priority One list; lower ranked ones on Priority Two and those that do not have public access were given Priority Three status.

A master list of work has been completed and placed on a spreadsheet, a copy of which is attached as Schedule A. The list includes all locations and contains a site by site budget for all Priority One buildings. It should be noted that not all Priority One locations will be funded. In fact, we are about $574,365 short of being able to complete this work. The owner departments are currently reviewing the Priority One locations to reduce the scope to meet available funds.

In summary, all available funds have been committed. A number of city-owned facilities, including several Priority one and all priority two locations are not financed and will remain non-compliant with the Barrier Free Standards.

As stated, barrier free requirements for HECFI facilities have always been considered outside the scope of work and were not evaluated. Naturally, if these important city-owned facilities had been included, they would have scored high on our priority list.

Over the years, HECFI has undertaken numerous barrier free projects via there own capital program. These works include washroom and entry upgrades in the Great Hall and Convention Centre and seating alterations in the Great Hall.

Additional Barrier Free projects, however, were not included in the 1997-2006 Capital Plan of HECFI.

The request from HECFI for $111,000 ($139,000 would be full total inclusive of design and other fees as well as contingency would further increase the number of non-compliant facilities.

SUGGESTED ALTERNATIVES:

1. HECFI could be requested to reconsider barrier free compliance within the context of its own capital planning in preparation of its 1998-2007 capital budget.

2. Council could direct staff to include proposed work at HECFI facilities in a revised scope of work and report back on facilities to be deleted from program.

3. Finance and Administration Committee could recommend a source of funding to enable the HECFI work to be included in a revised scope of work without increasing degree of non-compliance of other city-owned facilities.

cc: Alderman Terry Anderson, Chairman HECFI
Alderman Fred Eisenberger, Chairman, Parks and Recreation Committee
Gabe Macaluso, Managing Director/CEO, HECFI
A.C. Ross, Treasurer

Schedule A1

BARRIER FREE DESIGN "final" APRIL 97
FOR CULTURE & RECREATION

priority code	Building	rep.	Access Intensit 1	2	3	Code Complia 1	2	3	Revised Cost Estimate (2)	Account #	Actual Cost	Date	Remarks
1	Chedoke Golf & Ski	CR	X				X		$10,000.00	809453005			Washroom Modified - Elavator Eliminated
1	Mountain & Skating Centre Are	CR	X			X			$150,000.00	809453005			Preparation of Documents
1	Ivor Wynne Stad.+ Brian Timmi	CR	X				X		$200,000.00	809453005			Seating access is required
1.b	Outdoor Pools (5)	CR	X			X			$0.00	809453005			cost estimate $200,000
1.b	Fernleigh Lawn bawling	CR	X			X			$0.00	809453005			cost estimate 142,000*1.25= $ 177,500
1	McLaren Park Fieldhouse	CR	X				X		$40,000.00	809453005			
1	Children's Museum	CR	X				X		$80,250.00	809453005			Study on going
1	Powell Park Field house	CR	X			X			$36,000.00	809453005			
1	Chedoke Twin Pad Arena	CR	X				X		$75,000.00	809453005			original budget constraints
1	Coronation Arena	CR	X			X			$75,000.00	809453005			Preparation of Documents
1	Eastwood Arena	CR	X			X			$18,750.00	809453005			Preparation of Documents
1	Kiwanis Boys and Girls	CR	X			X			$87,500.00	809453005			
1	Carter Park Fieldhouse	CR	X			X			$23,000.00	809453005			
1	Chedoke outdoor pool	CR	X				X		$0.00	809453005			
1	Eastmount Community Centre	CR	X			X			$26,250.00	809453005			
1.b	RoseLawn Bowling	CR	X			X			$0.00	809453005			
1.b	Rosedale Tennis	CR	X			X			$0.00	809453005			
1.b	Hamilton Tennis	CR	X			X			$0.00	809453005			
1.b	Churchill Bowling Club	CR	X			X			$0.00	809453005			
1	King's Forest Golf	CR	X				X		$0.00	809453005			Elevator eliminated
1	Mahoney Park	CR	X			X			$82,500.00	809453005			New project
1	Riverdale communitu outreach	CR	X			X			$3,600.00	809453005			
1	Birge Park Fieldhouse	CR	X			X			$47,000.00	809453005			
1	Whitehern	CR	X			X			$87,100.00	809453004			Study on going
1	Dalewood Rec. Centre	CR	X				X		$56,250.00	809453004			Preparation of Documents - Pool tank access
1	Bennetto Rec. Centre	CR	X				X		$86,000.00	809453003			Preparation of Documents - Pool tank access
1	Military Museum	CR	X			X			$13,750.00	809453003			Study on going
1	Hill Park Rec. Centre	CR	X				X		$63,750.00	809453003			Preparation of Documents - Pool tank access
	Subtotal								**$1,261,700.00**				
	priority 1 sub-total								**$1,261,700.00**				
	priority 2 AND 3 sub-total								**$0.00**				

BARRIER FREE DESIGN "final" APRIL 97
FOR CULTURE & RECREATION

priority code	Building	rep.	Access Intensit			Code Complia			Revised Cost Estimate (2)	Account #	Actual Cost	Date	Remarks
			1	2	3	1	2	3					
1	Sir Winston Churchill Rec. Cen	CR	X				X		$37,500.00	329441016			Preparation of Documents - Pool tank access
1	Rosedale Arena	CR	X					X	$0.00	329441016			Completed
1	Scott Park Arena	CR	X			X			$10,000.00	329441016			Under Construction (additional funding req)
1	Normanhurst Community Centr	CR	X			X			$11,250.00	329441016			
1	Sir Wilfrid Laurier Rec. Centre	CR	X				X		$110,000.00	329441016			Preparation of Documents - Pool tank access
1	Steam & Technology Museum	CR	X			X			$227,500.00	329441016			Study on going
1	Norman Pincky Lewis Rec.	CR	X			X			$26,250.00	329341009			
1	Westmount Rec. Centre	CR	X					X	$44,500.00	329341009			Under Construction (add'l funds req) Pool tank
1	Dundurn Castle	CR	X					X	$73,750.00	329341009			Study on going (includes CD access programm
1	Central Memorial Rec. Centre	CR	X					X	$0.00	329341009			Elevator installed - Pool tank access required
1	Ryerson Rec. Centre	CR	X					X	$14,500.00	329341009			Under Construction (add'l funds req) Pool tank
1	Barton Community Centre	CR	X			X			$27,500.00	329341009			
1	Beasley Community Centre	CR	X					X	$0.00				Completed
1	Lawfield Arena	CR	X			X			$0.00				Completed
1	Huntington Park Rec. Centre	CR	X					X	$0.00				completed
1	Jimmy Thompson Rec. Centre	CR	X				X		$0.00				completed
1	Sir Allan MacNab Rec. Centre	CR	X				X		$0.00				completed
1	Sackville Hill - Sr. Centre	CR	X					X	$0.00				Completed
1	Inch Park Arena	CR	X					X	$0.00				Completed
	Subtotal								**$582,750.00**				
	priority 1 sub-total								**$582,750.00**				
	priority 2 AND 3 sub-total								**$0.00**				

BARRIER FREE DESIGN "final" APRIL 97
FOR PUBLIC WORKS & TRAFFIC - PARKS

priority code	Building	rep.	Access Intensit 1	2	3	Code Complia 1	2	3	Revised Cost Estimate (2)	Account #	Actual Cost	Date	Remarks
1?	Sackville Hill Memorial Park-Bl	WJP	x			x			$0.00	809453005			bleachers should be removed
1?	Churchill Park Fieldhouse	WJP	x			x			$41,250.00	809453005			exterior access improvements in the Fall '96
?	Eastwood Park - Stands	WJP	x			x			$0.00	809453005			remove stands and buildings
1	MSP Fieldhouse (Field #1)	WJP	x			x			$21,000.00	809453005			
1	MSP Fieldhouse	WJP	x			x			$16,500.00	809453005			
1	Montgomery Park Fieldhouse	WJP	x			x			$32,250.00	809453005			parking area to be reconstructed in 1997
1	Mountain Drive Park Fieldhous	WJP	x			x			$59,250.00	809453005			
1	Alexander Park Fieldhouse	WJP	x			x			$31,500.00	809453005			
1	Myrtle Park Fieldhouse	WJP	x			x			$30,000.00	809453005			
1	Mohawk Sports Park Stadium	WJP	x			x			$16,950.00	809453005			
1	MSP Track & Field Fieldhouse	WJP	x			x			$9,750.00	809453005			
1	Sam Manson Park Fieldhouse	WJP	x			x			$35,000.00	809453005			
1	Victoria Park Stands	WJP	x			x			$73,500.00	809453005			
1	Victoria Park Fieldhouse	WJP	x			x			$40,500.00	809453005			
1	Macassa Park Fieldhouse	WJP	x				x		$51,875.00	809453005			
1	Mahoney Park Fieldhouse	WJP	x			x			$0.00	809453005			
1	Bruce Park Fieldhouse	WJP	x			x			$58,750.00	809453005			
1	Gage Park - Bandshell	WJP	x			x			$25,500.00	809453005			
1	Gage Park Washroom Bldg 1	WJP	x			x			$33,000.00	809453005			
1	Gage Park Washroom Bldg 2	WJP	x			x			$26,750.00	809453005			
1	Buchanan Park Fieldhouse	WJP	x			x			$59,375.00	809453005			
1	Churchill Community Gardens	WJP	x			x			$20,250.00	809453005			
1	Dundurn Park Pavilion	WJP	x			x			$47,500.00	809453005			existing ramp
1	Globe Park Fieldhouse	WJP	x			x			$40,000.00	809453005			
1	H.A.A.A. Grounds Fieldhouse	WJP	x			x			$60,000.00	809453005			
1	William McCulloch Park Fieldh	WJP	x			x			$26,250.00	809453005			
1	89 King Street East	WJP	X			X			$0.00	809453005			Newly Acquired Building
2	Kinsmen Park	WJP	x				x		$0.00	809453005			cost estimate 27,000
2	MSP Maintenance Bldg	WJP			x	x			$0.00	809453005			
2	Cathedral Park Fieldhouse	WJP	x				x		$0.00	809453005			
2	Victoria Park Storage	WJP			x				$0.00	809453005			
	Subtotal								**$856,700.00**				
	priority 1 sub-total								**$856,700.00**				
	priority 2 AND 3 sub-total								**$0.00**				

BARRIER FREE DESIGN "final" APRIL 97
FOR PROPERTY

priority code	Building	rep.	Access Intensit 1	Access Intensit 2	Access Intensit 3	Code Complia 1	Code Complia 2	Code Complia 3	Revised Cost Estimate (2)	Account #	Actual Cost	Date	Remarks
1	Parking Authority	PA	X				X		$100,000.00	809453005			Entrances to parking
1	Libraries	Lib	X				X		$343,750.00	809453005			300,000 elev. requ'd in barton (critical)
1?	Football Hall of Fame	Prop	X			X			$365,000.00	809453005			LIMIT ADD'L FUNDS TO A TOTAL OF 250,000
1?	Fire Stations	Fire		X			X		$306,250.00	809453005			main station, Elevator required
2	West Avenue School	Prop	X			X			$0.00	809453005			Designated Historical Facility
2	Central Utilities Plant	Prop			X	X			$0.00	809453005			121 King Street West
2	Central Services Building	Prop	X			X			$0.00	809453005			125 Barton Street West
2	Kenilworth Comp.	Prop			X	X			$0.00	809453005			Vacant - 125 Kenilworth
2	Municipal Storage	Prop			X	X			$0.00	809453005			240 Burlington Street
2	St. Mark's Church	Prop			X	X			$0.00	809453005			Vacant
2	Hamilton Place	ECF	X				X		$0.00	809453005			Board
2	Veevers Estate	Prop		X		X			$0.00	809453005			Residential
2	King Street Pedestrian Bridge	Prop	X				X		$0.00	809453005			
2	Commonwealth Square	Prop	X				X		$0.00	809453005			
2	Health/Social Services	Prop	X				X		$0.00	809453005			74 Hughson Street
2	Farmer's Market	Prop	X				X		$0.00	809453005			
2	Property Maint. Work Shop	Prop			X	X			$0.00	809453005			125 Barton Street West
2	Summers Lane	Prop	X				X		$0.00	809453005			
2	Convention Centre	ECF	X				X		$0.00	809453005			Board
2	Copps Coliseum	ECF	X				X		$0.00	809453005			Board
3	Balfour Estate	Prop	X			X			$0.00	809453005			Residential - 654 Garth (no ranking)
3	Big Sisters Association	Prop	X			X			$0.00	809453005			Residential (no ranking)
3	Health Centre (775 U.Wentwort	prop							$0.00	809453005			Building sold
	Subtotal								**$1,115,000.00**				
	priority 1 sub-total								**$1,115,000.00**				
	priority 2 AND 3 sub-total								**$0.00**				

BARRIER FREE DESIGN "final" APRIL 97
FOR PUBLIC WORKS DEPARTMENT

priority code	Building	rep.	Access Intensit 1	2	3	Code Complia 1	2	3	Revised Cost Estimate (2)	Account #	Actual Cost	Date	Remarks
1	Woodland Cem.	D.H.	x			x			$46,250.00	809453005			Spring Garden, Burl.
1	Eastlawn Cemetery	D.H.	x			x			$0.00	809453005			Cnr Nash & Barton
1	Gage Park, Greenhouse	D.H.	X				X		$30,000.00	809453005			
1	Mount Ham. Cem.	D.H.	x			x			$0.00	809453005			Rymal @ Upp. Well.
1	Cem. Off. (York Bl)	D.H.	x			x			$60,000.00	809453005			777 York Blvd
2	Brampton Yard	D.H.		x		x			$0.00	809453005			2200 Brampton
2	Fleet Serv.	D.H.			x	x			$0.00	809453005			177 Bay North
2	Chedoke Yard	D.H.		x		x			$0.00	809453005			161 Studholme
2	Hamilton Cemetery	D.H.			x	x			$0.00	809453005			777 York Blvd. -No use; cust's go to main office
2	Ferguson Yard	D.H.		x		x			$0.00	809453005			302 Ferguson North - Some comp.; needs reno
2	Forestry Yard	D.H.		x			x		$0.00	809453005			1275 Upper Ottawa
2	Rymal Yard	D.H.		x			x		$0.00	809453005			308 Rymal East - First Floor okay; 2nd floor not
2	Gage Park Yard Building	D.H.			X		X		$0.00	809453005			
2	Sanitation Yard	D.H.		x		x			$0.00	809453005			2418 Barton East
2	Traffic Operations	D.H.			X		X		$0.00	809453005			
	Frame Garage Building (#52)								$0.00	809453005			Buildings on list and can not be identified on th
1	Change house Birch Ave								$48,750.00	809453005			departments' lists
	Garage 2418 Barton Street								$0.00	809453005			
	Washroom, 90 Charlton								$0.00	809453005			
dupl.	Composite Buidling								$0.00	809453005			
	Sub-total								**$185,000.00**				
	priority 1 sub-total								**$185,000.00**				
	priority 2 AND 3 sub-total								**$0.00**				

3 Infr. (2,900,000+188,000+264,000 = 3,352,000)

BARRIER FREE DESIGN "final" APRIL 97
for all City Buildings

PROJECT SUMMARY: (Final)

Account #		Available funds	required funds	defferencial
809453005		$2,578,803.00	$3,111,550.00	($532,747.00)
809453004		$178,839.00	$143,350.00	$35,489.00
809453003		$242,853.00	$163,500.00	$79,353.00
329441016		$229,384.00	$396,250.00	($166,866.00)
329341009		$5.00	$186,500.00	($186,495.00)
329341012		$56,498.00	$0.00	$56,498.00
	TOTAL:	**$3,286,382.00**	$4,001,150.00	($714,768.00)
committed funds		$140,403.00		
		$3,426,785.00		

		Available funds	required
priority 1		$3,426,785.00	$4,001,150.00
priority 2		$0.00	$0.00
	TOTAL:	**$3,426,785.00**	($574,365.00)

1-Frequent Public Access -No OBC Compliance
2-Seldom Public Access 2-OBC Compliance
3-No Public Access 3-Above OBC

13.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Referral from City Council - Teletheatre locations

DATE: 1997 May 2

Please be advised that City Council, at its meeting held Tuesday, 1997 April 29th, agreed to refer the following motion to the Finance and Administration Committee for consideration:

> That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved.

Attached herewith for your reference is a copy of the request from Flamboro Downs for these locations.

For the information of members of the Committee, Flamboro Downs presently have 4 Hamilton locations. This process of seeking City Council approval for these locations has been followed in the past. In May of 1996 City Council indicated its approval for a location at 801 Mohawk Road West, Harvard Square although this particular location was not established due to a rental agreement not being reached. The City's support for this application does not authorize the location, but rather allows the Ontario Racing Commission to consider the application at a Public Hearing.

Would you please present this matter to the Finance and Administration Committee for its consideration.

Susan K. Reeder
SKR for JJSchatz.

cc Mayor Robert M. Morrow

flamboro downs
flamboro downs holdings limited
p.o. box 8220, dundas, ontario L9H 5G1

967 highway 5, flamborough, ontario
telephone: (905) 627-3561 fax: (905) 627-3561

April 24, 1997.

Mayor Robert Morrow,
City Hall,
71 Main Street West,
Hamilton, Ontario.
L8N 3T4.

Re: **Additional Two Proposed Teletheatre Locations for Flamboro Downs**
- Rookies Sports Cafe, 1429 Main Street East, Hamilton
- Hanrahan's Tavern, 92 Barton Street East, Hamilton

Dear Mr. Morrow,

To update you and your office, Flamboro Downs has continued to enlarge our off-track Teletheatre betting network, of which there are now 14 locations.

I have enclosed for you an updated listing of our locations, wherein you will note that currently four have Hamilton addresses, and seven are in the immediate Hamilton/Burlington/Stoney Creek/Ancaster area.

We are now in the process of seeking approvals for an additional two Hamilton locations as listed above. We anticipate that ~~each location will generate or~~ maintain at least 8 jobs utilizing Flamboro Downs ~~Pari-Mutuel~~ employees, plus additional employment ~~for the~~ proposed Teletheatre Operators.

As per our previous correspondence on Teletheatre approvals, we require from your office an acknowledgement that you have been informed by Flamboro Downs of our intention to operate a Teletheatre at the above locations, and within that letter it must be indicated that there no objections from City Council.

~~As in~~ the past, once we have received the documentation requested in this letter, ~~we will~~ proceed to a Hearing ~~date before the~~ Ontario Racing Commission ~~who will~~ consider the application at a Public Hearing. We also anticipate that we will get back to you in a relatively short period of time with perhaps two other Hamilton locations, as we believe the Hamilton market will probably suppport additional locations at this time.

We would appreciate your usual prompt and positive response to this request, and look forward to hearing from you.

Yours truly,

FLAMBORO DOWNS HOLDINGS LIMITED,

Richard Jacob /mc

RICHARD JACOB,
General Manager.

RJ:mc

FLAMBORO DOWNS

TELETHEATRE LIST

		Telephone	Fax
1.	CHEERS, John Vitulli, 1405 Upper Ottawa Street, Hamilton, Ontario. L8W 3J6.	(905) 574-7748	(905) 574-8741
2.	THIRSTY SENATOR, Frank McCabe / Guy Appleton 4490 Fairview Street, Burlington, Ontario. L7L 5Y3.	(905) 681-8655	(905) 681-1441
3.	NORFOLK INN, Gerard Maloney, 41 Norfolk Street South, Simcoe, Ontario. N3Y 2W1.	(519) 426-6260	(519) 426-9715
4.	SPORTOS, Bob Markovich, 234 Colbourne Street East, Brantford, Ontario. N3T 2H1.	(519) 756-5535	(519) 756-7231
5.	MONAGHAN'S SPORTS PUB, B. Joe Peric, 1289 Marlborough Court, Oakville, Ontario. L6H 2R9.	(905) 842-4435	(905) 842-6752
6.	STRYX, Roger Jarry / Sandy MacKie, 3 Lake Street East, Grimsby, Ontario. L3M 2G4.	(905) 945-8116	(905) 945-5962
7.	BUFFY'S, Mike Buffalino, 106 - 118 Lakeport Road, St. Catharines, Ontario. L2N 4R1.	(905) 934-9993 Day (905) 934-1231	(905) 934-6534
8.	OAKWOOD PLACE, Wally Mack / Ron Mack, 1091 Barton Street East, Hamilton, Ontario. L8H 2V2.	(905) 549-6581	(905) 549-3387

		Telephone	Fax
9.	REX HOTEL, Bruno Carusetta / Dean Carusetta, 346 King Street, Welland, Ontario. L3B 3K3.	(905) 735-5389 Day (905) 732-4491	(905) 735-5389
10.	RAMADA HOTEL, Gerry Attard / Brian Woodcock, 150 King Street East, Hamilton, Ontario. L8N 1B2.	(905) 528-1180 Night (905) 528-3451	(905) 528-6658
11.	NEW DYNES TAVERN, Gordon Foster, 337 Beach Boulevard, Hamilton, Ontario. L8H 6W4.	(905) 549-2588	(905) 547-7092
12.	CARRERA'S SPORTSDOME, Peter Vincent, 931 Queenston Road, Stoney Creek, Ontario. L8G 1B8.	(905) 662-3620	(905) 662-3626
13.	ANCASTER BOWL, Randy O'Connor / Frank Martin, 1365 Sandhill Drive, Ancaster, Ontario. L9G 4V5.	(905) 648-4700	(905) 648-5589
14.	THE BETTING SHOP, John LaPenna / Frank LaPenna, 6119 Main Street, Niagara Falls, Ontario. L2G 6A2.	(905) 357-6254	(905) 357-7642

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 May 6
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held on Tuesday, 1997 April 22nd

B. **HAMILTON PUBLIC LIBRARY BOARD**

Closure of Hamilton Library Board Capital Project

C. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1997 April 22
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss
Alderman V. Agro
Alderman T. Anderson

Also Present:
Alderman H. Merling
Alderman F. D'Amico
Alderman G. Copps
J. Pavelka, Chief Administrative Officer
S. Hollowell, Acting City Clerk
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
Acting Fire Chief Desjarlais
D. Vyce, Director of Property
M. Watson, Real Estate Division, Property Department
J. Johnston, Commissioner of Human Resources
C. Guthrie, Public Works and Traffic
C. Kerr, Treasury Department
K. Beattie, Treasury Department
Susan K. Reeder, Secretary

A G E N D A

DELEGATIONS

A. Hamilton Board of Education and Hamilton Wentworth Separate School Board - 1997 Mill Rate

Margaret Cunningham, Chairman, Hamilton Board of Education School Board; Lucy Veerman, Acting Senior Financial Officer and Treasurer; Merv Matier, Interim Director of Education and Secretary; Sandy Hill, Ward 4 Trustee were in attendance respecting the levy requirements for 1997 for The Board of Education for the City of Hamilton.

The Committee was in receipt of added correspondence from the Board of Education for the City of Hamilton dated 1997 April 15, respecting their Levy requirement for 1997, as approved by their Board on 1997 April 14.

No representative from the Hamilton Wentworth Separate School Board was present.

Ms. Cunningham, Chairman of the School Board for the Hamilton Board of Education addressed the Committee with respect to the difficult budget year experienced by the Board this year in light of the Provincial cutbacks. Discussion ensued with respect to the Provincial bill concerning Education restructuring.

Alderman Ross raised a question about possible precedence being set by the School Board requesting that the City maintain the grounds of school lands where community facilities such are ball diamonds are located. In response to this concern, Mr. Matier indicated that the Board had been advised that 75% of this work is already being done by the City, and that the transfer of work would involve grass cutting only.

The Chairman then thanked the delegation from the Hamilton Board of Education for attending, and approved the following:

(a) That the 1997 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed in Column (6) on the "Comparison of Components and Total Mill Rates for the years 1993 to 1997 inclusive", attached herewith and marked Appendix "A"; and,

(b) That the by-laws to fix the rates of taxation for Municipal, Regional, School, and total rates of taxation for the year 1997 be approved; and,

(c) That the by-law to levy an annual tax on telephone companies doing business in Ontario be approved.

Note: Alderman Wilson indicated that he has a conflict of interest with respect to sub-section (c) above, as he is an employee of Bell Canada.

B. **Hamilton Civic Hospitals Foundation and the Chedoke-McMaster Foundation - request to use the Hamilton Farmers' Market - Fundraising Gala for the Hamilton Health Sciences Corporation**

The Committee was in receipt of correspondence from the Hamilton Civic Hospitals Foundation and the Chedoke-McMaster Foundation dated 1997 April 14, respecting the above noted matter.

In this regard, Ms. Noel Robb and Ms. Pat Wright were in attendance to speak to the Committee on behalf of the Hamilton Civic Hospitals Foundation and the Chedoke-McMaster Foundation.

(a) **Report - City Clerk**

The Committee was in receipt of a report from the City Clerk dated 1997 April 15, respecting Hamilton Civic Hospitals & Chedoke-McMaster Foundations - Request to use Hamilton Farmers' Market.

Mr. Stan Hollowell of the City Clerk's Office addressed the Committee with respect to this matter, and the Committee approved the following:

(a) That approval be granted to the Hamilton Civic Hospitals & Chedoke-McMaster Foundations to use the Hamilton Farmers' Market on Saturday, 1997 September 20 to host a Charity Fund Raising Gala in support of equipment for the Hamilton Health Sciences Corporation; and,

(b) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations provide proof of insurance in the amount of $5 million naming the City of Hamilton as an insured and further that this insurance carry a Host Liquor Liability Endorsement; and,

(c) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be permitted to serve liquor and wine at their event and that it be their responsibility to apply to the Ontario Liquor Control Board for the required liquor and wine permits; and,

(d) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required to comply with all applicable Provincial and Municipal regulations with respect to building, fire and health considerations associated with the hosting of their event; and,

(e) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required, at their own expense, to return the Hamilton Farmers' Market to its original condition prior to their event and further that they be required to satisfy all reasonable requests of the Hamilton Farmers' Market Stallholders Association with respect to protection of stallholder assets during their event.

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR - Expropriation of 13.16 acres, Limeridge Road East, J. Petis, Trustee - Settlement of Legal/Consultant's Fees

That the legal and consultant's fees and disbursements of the former owners of 13.16 acres, expropriated by the City at Limeridge Road East (J. Petis, trustee), be settled in the amount of $118,500. Compensation for the expropriated land was previously approved by City Council on 1992 July 28, (Section 14 of the Fourteenth Report for 1992 of the Parks and Recreation Committee).

BB. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(i) Provision for Cafeteria/Food Services at Hamilton City Hall

(a) (i) That a new Agreement with Carmen's Catering Ltd. to replace the previous Licence Agreement between Carmen's Catering Ltd. and The Corporation of the City of Hamilton, dated 1992 January 15, for the provision of food services at the City Hall cafeteria, which contained a provision in favour of the City to grant in its sole and unfettered discretion, an extension of the term of the Agreement, for a further three (3) and two (2) year terms be entered into for a term of three (3) years from 1996 April 6 to 2000 April 5, on the following terms and conditions:

(1) Carmen's shall pay to the City a basic monthly fee of $500 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, when the gross sales realized from the cafeteria and catering facets of the operation fall between $0 and $200,000. This fee structure will apply to the following nine (9) months of each year during the term: January, February, March, April, May, June, September, October and November; and,

(2) Carmen's shall pay to the City a basic monthly fee only of $250 per month, plus business and realty taxes which are assessed against the cafeteria area, when the gross sales realized from the cafeteria and catering facets of the operation fall between $0 and $225,000. This fee structure will apply to the following three (3) months of each year during the term: July, August, and December; and,

(3) Carmen's shall pay to the City a basic monthly fee of $750 per month for the nine (9) months referenced in (a) (i) (1). above, plus five percent (5%) of cafeteria sales, plus business and realty taxes which are assessed against the cafeteria area, when gross sales realized from the cafeteria and catering facets of the operation fall between $200,000 and $225,000 per annum; and,

(4) Carmen's shall pay to the City a basic monthly fee of $750 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, for the entire twelve (12) months of the year, when the gross sales realized from the cafeteria and catering facets of the operation fall between $225,000 and $250,000 per annum; and,

(5) Carmen's shall pay to the City a basic monthly fee of $1,000 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, for the entire twelve (12) months of the year, when the gross sales realized from the cafeteria and catering facets of the operation exceeds $250,000 per annum; and,

(6) The annual gross sales realized by Carmen's from the cafeteria and catering facets of the operation will be those sales realized during each annual term of this Licence Agreement with the City commencing 1997 April 6, as verified, if requested by the City, by an independent accounting firm of Carmen's, at its expense, by May 30 of each year, following which any adjustment in fees will be made upward or downward and become due and payable by either party to the other within ten days following the said May 30 date; and,

(ii) That all other terms and conditions of the 1992 January 15, Licence Agreement between Carmen's and the City shall remain the same; and,

(b) That the Mayor and the City Clerk be authorized and directed to execute on behalf of the City, an Agreement with Carmen's Catering Ltd. which is in a form satisfactory to the City Solicitor.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its special meeting held on Tuesday, 1997 March 25th and the minutes of its regular meeting held on Tuesday, 1997 April 1st, and approved these minutes as circulated.

B. TREASURER

(i) Supply and Delivery of Annual Supplies for 1997

The Committee was in receipt of a report from the Treasurer dated 1997 April 4, respecting the above noted matter.

The Committee approved the following:

That purchase orders be issued for the supply and delivery of Annual Supplies for various City Departments as and when required during 1997, in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

(a) Aggregates

Supplier	Material	Unit Pricing Tractor Trailer	Unit Pricing Tri-Axle Tandem
1. Cayuga Materials	Granular 'A'	$ 7.34	$ 8.34
2. Lakeview Sand & Gravel	Granular 'A'	7.60	9.60
3. Taro Aggregates Ltd.	19mm Clear	8.50	8.50
4. TCG Materials	9.5mm Chips Washed	11.45	12.70
5. Taro Aggregates Ltd.	53mm Clear	8.50	9.50
6. Redland Quarries	#8 Dust Suppressed Grits	28.60	29.10
7. Flamboro Quarries	Athlete Field Lime	14.95	15.55
8. Cayuga Materials	19mm Crusher Run	7.34	8.34
9. Redland Quarries	19mm Crusher Run	7.65	8.15
10. Cayuga Materials	53mm Crusher Run	7.34	8.34
11. Vinemount Quarries	Rubble Stone	9.75	10.25
12. Vinemount Quarries	75-200mm Gabion Stone	11.00	11.50
13. Cayuga Materials	9.5mm Screenings	7.66	8.66
14. Taro Aggregates Ltd.	9.5mm Screenings	8.00	8.00
15. Redland Quarries	9.5mm Screenings	8.00	8.50

* Note that all prices are on a per tonne basis. GST and PST extra where applicable.

(b) Mixed Portland Cement Concrete

Sidewalk, Curb & Roadway Concrete	Delivered	Picked Up
Dufferin Concrete Products	$ 99.55	$ 92.00
Lafarge Construction Material	96.25	79.00
CBM Concrete	103.00	103.00
Unshrinkable Fill		
Dufferin Concrete Products	$52.00	$ 45.00
CBM Concrete	48.00	no quote
Lafarge Construction Material	52.50	50.00

* Note that all prices are on a cubic metre basis.

(c) Asphaltic Concrete and Bituminous Materials

Asphalt Surface Course (H.M.3)		
Capital Paving	picked up	$ 40.55
Lafarge Construction Materials	picked up	43.25
Cayuga Materials & Construction Co. Ltd.	picked up	44.00
Asphalt Binder Course (H.M.5)		
Cayuga Materials & Construction Co. Ltd.	picked up	$ 42.50
Lafarge Construction Materials	picked up	43.00
Capital Paving	picked up	44.50
HLS030 Hot Lay, HL-3(HS) Asphalt		
Cayuga Materials & Construction Co. Ltd	picked up	$ 43.00
Capital Paving	picked up	44.75
Lafarge Construction Materials	picked up	43.50
Cationic Asphalt Emulsions CRS-2		
Norjohn Ltd.		0.3075
Additional Cost to Supply a Tank for Duration of Contract		
Norjohn Ltd.		No Charge

Cationic Asphalt Emulsions CRS-2			
Norjohn Ltd.	CRS-2	delivered	0.3075
McAsphalt Ltd.	CRS-2 Latex Modified	delivered	0.3600
Hot Liquid Asphalt			
Lafarge Construction Materials		picked up	$ 5.00L
Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000			
TCG Materials		picked up	$ 56.95
Innovative Municipal		picked up	45.00
Cayuga Materials	QPR2000 Fine	picked up	68.00
Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000			
TCG Materials, Brantford		delivered	$ 59.95
Innovative Municipal		delivered	49.95
Cayuga Materials	QPR2000 Fine	delivered	75.00
Crack Sealing Material			
McAsphalt Industries Ltd		delivered	.2794/lb.

* Note that all prices are on a per tonne basis unless otherwise noted.

(d) Chemicals

Da-lee Dust Control		
Flake Calcium Chloride	delivered	$0.4300
Liquid Calcium Chloride	delivered	$0.1320

* Note that all prices are per KG.

* GST and PST extra where applicable in all sections.

(ii) **Funding - 40th Anniversary - Canusa Games Opening Ceremony**

The Committee was in receipt of a report from the Treasurer dated 1997 April 17, respecting the above noted matter.

The Committee approved the following:

That as referenced in Section 12 of the Fourth Report for 1997 of the Parks and Recreation Committee, a contribution up to an amount of $16,100 to assist in defraying the costs of the Special Opening Ceremonies celebrating the 40th CANUSA Games in Hamilton, 1997 August 8, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 54307 80040.

C. CITY SOLICITOR

(i) **By-law to amend By-law No. 9430 to release from expropriation those lands at 206 Dumbarton**

The Committee was in receipt of a report from the City Solicitor dated 1997 April 4, respecting the above noted matter and approved the following:

That By-law No. 9430 be amended to release from expropriation the lands at 206 Dumbarton Avenue being Parcel E, Plan 597, save and except Part 1 on 62R-8118 and Part 1 on 62R-6273, City of Hamilton, Regional Municipality of Hamilton-Wentworth.

(ii) Sick Leave By-law

The Committee was in receipt of a report from the City Solicitor dated 1997 April 10, respecting the above noted matter and approved the following:

That the Sick Leave By-law 7530 be amended to allow employees to utilize one tenth of a day from the employee's sick leave credit bank to offset deductions under the Attendance Management Plans and Disability Plans.

(iii) **By-Law - Culture and Recreation Department User Fees for 1997**

The Committee was in receipt of a report from the City Solicitor dated 1997 April 8, respecting the above noted matter and approved the following:

That a By-law to enact the 1997 Culture and Recreation Department User Fees be enacted.

(iv) **By-law - Planning Fees Tariff**

The Committee was in receipt of a report from the City Solicitor dated 1997 March 26, respecting the above noted matter and approved the following:

That a By-law to enact the Planning Fees Tariff be enacted.

(v) **By-law - Hamilton Fire Department User Fees**

The Committee was in receipt of a report from the City Solicitor dated 1997 March 26, respecting the above noted matter and approved the following:

That a By-law to enact user fees for the Hamilton Fire Department be enacted.

(vi) **Amendment to By-law No. 84-191 respecting the Keeping of Animals to obtain an exemption for exotic animals**

The Committee was in receipt of a report from the City Solicitor dated 1997 April 4, respecting the above noted matter.

Concern was expressed at the provision in the amending by-law to increase the number of animals that may be kept. Also some discussion ensued with respect to provisions to be included in this amending by-law concerning vicious dogs. In this regard some reference was given to a by-law recently passed by Kitchener.

As a result of these concerns, the Committee agreed that this By-law report should be tabled to the next meeting in order that these concerns can be addressed with an additional staff report.

D. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - Leasing Supplier for Microcomputer Workstations and Printers (INF 97-108).**

The Committee was advised that this report was not ready, and thus should be deleted from the Agenda.

E. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) Replacement of Two (2) Truck Chassis with Refuse Packers, Units 9125 and 9126, Fleet Services

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 April 9, respecting the above noted matter and approved the following:

> That a purchase order be issued to Universal Handling Equipment Company Ltd., Hamilton, in the amount of $200,150 including all applicable taxes and trade in, for the replacement of two (2) Truck Chassis complete with Refuse Packers units #9125 and 9126 for Fleet Services, being the only tender received in accordance with specifications issued by the Purchasing and Vendor's tender, and be financed through the 1996 Vehicle Replacement Programme Account Centre CF 649651019.

(ii) Replacement of One (1) Aerial Device with Chip Box, Unit 9630, Fleet Services

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 March 26, respecting the above noted matter and approved the following:

> That a purchase order be issued to Wajax Industries Ltd., Mississauga, in the amount of $164,022, including all applicable taxes and trade-in, for the replacement of one (1) Truck Chassis complete with Aerial Device and Chip Box unit #9630 for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

F. CITY CLERK - By-law re: Human Rights Code

The Committee was in receipt of a report from the City Clerk dated 1997 April 16, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton Licensing By-law #93-069, respecting Taxicabs, be amended to require that the Ontario Human Rights Code be posted prominently at all taxi brokerages; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE -Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 April 16, respecting Information Items. The Committee approved the following:

> That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:
>
> (a) Updates - A.M.O. - Winter 1997
>
> (b) L.A.S. (Local Authority Services Ltd.) - A.M.O. - "Who we are and What we do"

(c) Resource Centre Services - A.M.O.

(d) Correspondence - Ontario Public Service Employees Union - AMO negotiations with the Province - letter dated 1997 March 17th

(e) Correspondence - City of Sarnia - AMO and Provincial Negotiations - Megaweek Initiatives - letter dated 1997 March 24th

(f) Correspondence - Hamilton Professional Fire Fighters Association - Night/Evening Home Inspection Program - letter dated 1997 March 24th

(g) Information Report - Chief Administrative Officer and Commissioner of Human Resources - Court of Appeal Division - City of Hamilton v. C.U.P.E. Local 167 and M.R. Gorsky, Arbitrator - report dated 1997 April 9th

(h) Information Report - Chief Administrative Officer - CP Derailment Incident - report dated 1997 April 9th

(i) Report - Commissioner of Public Works and Traffic to the Transport and Environment Committee - 1997 Servicing Expenditures related to Subdivisions - City's share - financing - report dated 1997 April 10th

(j) Correspondence - Director of Property - Real Estate Division of the Property Department - Services to the Region for the First Quarter of 1997 - letter dated 1997 April 14th

REGULAR AGENDA

3. REFERRALS FROM CITY COUNCIL

(a) Correspondence - Hamilton Harbour Commissioners - Mr. Beattie's appointment

The Committee was in receipt of a memorandum from the City Clerk dated 1997 April 9, respecting the above noted matter.

(i) Correspondence - City Solicitor to Harbours and Ports, Department of Transport

The Committee was in receipt of correspondence from the City Solicitor dated 1997 April 9, respecting the above noted matter.

The City Solicitor spoke to the Committee and advised that no response has yet been received from the Federal government respecting the extension of Mr. Beattie's term of office. The City Solicitor also advised that no response has yet been received from the Hamilton Harbour Commission with respect to the City's request to hold a meeting regarding surplus funds.

The Committee then agreed to receive these documents and status reports for information purposes.

(b) Referred back - Appointments and Terminations Report

The Committee was in receipt of a memorandum from the City Clerk dated 1997 April 9, respecting the above noted matter.

The Committee agreed to receive this report and take no further action.

4. CORRESPONDENCE

(a) The Hamilton Mundialization Committee - request that Hamilton twin/mundialize with the City of Nazareth, Israel

The Committee was in receipt of correspondence from the Hamilton Mundialization Committee dated 1997 April 9, respecting the above noted matter.

Mayor Morrow spoke to this matter and requested the Committee's support for the mundialization recommendation.

The Committee approved the following:

That approval be given to the request from The Hamilton Mundialization Committee that Hamilton twin/mundialize with the City of Nazareth, Israel.

(b) Hamilton Board of Education - Board of Education representative on the Hamilton Public Library Board

The Committee was in receipt of correspondence from the Board of Education for the City of Hamilton dated 1997 April 3, respecting the above noted matter.

Further to discussion on this matter, the Committee agreed to uphold its policy respecting its appointments to the Hamilton Public Library Board which was approved by the Finance and Administration Committee at its meeting held Tuesday, 1997 April 22nd, as follows:

That the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board be requested to provide the City with a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board.

(c) Regional Health and Social Services Committee - Summer Hiring - Region & City

The Committee was in receipt of correspondence from the Regional Municipality of Hamilton-Wentworth dated 1997 February 19, respecting the above noted matter.

The Committee agreed to receive this document for information purposes.

5. TREASURER

(a) Business Improvement Area By-laws

The Committee was in receipt of a report from the Treasurer dated 1997 April 14, respecting the above noted matter.

The Committee approved the following:

That the 1997 Levy By-laws for the seven (7) Business Improvement Areas in the City of Hamilton be approved in the amounts as follows:

Business Improvement Areas	1997 Levy
Barton General	$ 8,760
Westdale	35,000
International Village	53,500
Ottawa Street North	50,000
Concession Street	10,100
Downtown Promenade	84,000
Main Street West	3,000

(b) 1997 Property Tax Information - Tax Bills and Information Brochure

The Committee was in receipt of an information report from the Treasurer dated 1997 April 14, respecting the above noted matter.

The Committee agreed to "receive" the above-noted Draft document.

6. GRANTS CO-ORDINATOR - Outstanding payment for the 1996 grant to the Greek Festival

The Committee was in receipt of an information report from the Grants-Co-Ordinator dated 1997 March, respecting the above noted matter.

The Committee agreed that the 1996 Grant approved for the Greek Festival be paid.

7. CITY SOLICITOR - Young Family Cemetery

The Committee was in receipt of a report from the City Solicitor dated 1997 April 8, respecting the above noted matter and approved the following:

That the City Solicitor, on behalf of the City of Hamilton, be authorized to initiate an Application under the Cemeteries Act to declare the Young Family Cemetery, located at 1541 Upper Wellington Street, abandoned.

8. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(a) Declaration of Surplus Properties: 36 Newlands Avenue (Car Park #4B); 56 Kenilworth Avenue North (Car Park #30); 1368 Barton Street East (Car Park #58). - tabled from 1997 April 1st meeting

The Committee was in receipt of a memorandum from the Secretary of the Finance and Administration Committee, respecting the above noted matter.

The Committee approved the following, as amended:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(ii) 56 Kenilworth Avenue North, Car Park #30

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

With respect to Car Park #4B at 36 Newlands Avenue and Car Park #58 at 1368 Barton Street East, the Committee agreed that a report should be requested from the Hamilton Parking Authority on what the financial implications of maintaining these lots at their present loss status would be. It was also requested that the Hamilton Parking Authority provide the Committee with information on whether these lots could be deeded to the City to serve the community needs.

(b) **Offer to Purchase - Sale of City Property (Tax Sale), 467 Charlton Avenue East to Ron Van Kleef for operation of taxi business**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 10, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase Agreement, duly executed by Ron Van Kleef, on 1997 April 2 and scheduled to close on or before 1997 October 30, for the lands municipally described as 467 Charlton Avenue East, being part of Lots 11 and 12, Concession 3, in the geographic Township of Barton; Parcel 17, part of Parcel 18 and part of Parcel 29, as in Book 223A, City of Hamilton, Regional Municipality of Hamilton-Wentworth, being an irregular shaped parcel containing 1.18 hectares (2.91 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $150,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $15,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the first $100,000 and 4% on the remaining $50,000 sale price be paid to Cupido Realty & Insurance Ltd. (Sales Representative Mario Cupido), who acted in this matter; and,

(d) That the Offer to Purchase be subject to conditions, for the benefit of the Purchaser, so that the Purchaser may:

(i) At his expense satisfy himself as to the cost to demolish the existing building, prior to 1997 May 31; and,

(ii) At his expense, make investigations to satisfy himself as to the quality of soils and environmental condition of the property, prior to 1997 June 28; and,

(iii) At his expense, obtain approval to legally operate a taxi business on/from the subject property, which may necessitate a rezoning, prior to 1997 October 1; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 April 22; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(c) Lease - Canadian Football Hall of Fame Building to Canadian Super Party Inc. Space Formerly occupied by Press Club

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 17, respecting the above noted matter and approved the following:

(a) That the current lease with the Hamilton Press Club be terminated; and,

(b) That the Corporation of the City of Hamilton enter into a lease at 58 Jackson Street West with Canadian Super Party Inc. (Terry O'Donnell) on a month to month basis for a three (3) month period commencing 1997 April 1; and,

(c) That the lease for the above space contain the following terms and conditions:

(i) Premises: The leased premises are located in the basement of 58 Jackson Street West, and comprises of 1,406 square feet (formerly occupied by Press Club) and is to be used as a bar; and,

(ii) Term: Short term lease on a month to month basis up to a three (3) month period to commence on 1997 April 1. The Hall of Fame Management Committee will consider at a future meeting whether to grant this tenant a three (3) year lease at which time a further report will be forwarded to the Finance and Administration Committee for consideration; and,

(iii) Rent: $10.50 per square foot (modified gross) $1,230.25 per month. This rate includes realty taxes based on the existing assessment. If the assessment was to increase then the tenant must pay the additional tax amount. The Tenant must also pay for hydro, water, heat, janitorial service and provide proof of insurance as required by the City of Hamilton in amounts satisfactory to the City Solicitor. The first month rent is to be paid in advance; and,

(iv) Additional Terms:

(1) The tenant must pay for the costs of fixing the existing exhaust fan in order to ensure that cigarette smoke does not provide a continued hazard to the Hall of Fame collections; and,

(2) The tenant will be assessed a $100 fee for every time the alarm is triggered for this leased area so as to cover the cost of staff and police charges for each alarm received; and,

(d) That the Mayor and City Clerk be authorized to execute a short term lease agreement in a form satisfactory to the City Solicitor.

(d) **Offer to Purchase (Tender) - Sale of City property - 92 Stone Church Road East to Teresa Zampini**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 11, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase (Tender Form), duly executed by Teresa Zampini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 2 on Plan 62R-13294, having a frontage of 15.370 metres (50.42 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 541.8 square metres (5,832.0 square feet) more or less, municipally known as 92 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $51,511 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $5,151.10 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(e) **Offer to Purchase (Tender) - Sale of City property - 88 Stone Church Road East to Mark Pillinini**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 11, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase (Tender Form), duly executed by Mark Pillinini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 1 on Plan 62R-13294, being irregular in shape and having a frontage of 9.244 metres (30.0 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 542.7 square metres (5,841.8 square feet) more or less, municipally known as 88 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $46,100 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,610 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(f) **Offer to Purchase - Sale of City lands being Part of 6 Cascade Street, Hamilton to 2871220 Canada Limited (Home Depot)**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 11, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase to be executed by 2871220 Canada Limited (Home Depot) and scheduled to close on or before 1997 September 12, for the lands being part of Parcel "A" and "B" on Registered Plan 1332, formerly in the Township of Saltfleet, now in the City of Hamilton, being the northerly 128.0 metres (420 feet) more or less, of the westerly 4.724 metres (15.5 feet) of Parcel "B" and save and except the most southerly 10.07 metres (33 feet) more or less, of said Parcel "A", and comprising a total area of 644.99 square metres (6,942.87 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a Survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $43,810 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,381 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The herein Offer be conditional until closing upon the successful conclusion of the Committee of Adjustment minor variance application (A-97:21) and passing of any appeal period applicable hereto and the Purchaser acknowledges that the decision of the Committee of Adjustment of 1997 February 19 has been appealed to the Ontario Municipal Board; and,

(ii) The purchase price be calculated at the rate of $6.31 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser not less than seven (7) days prior to the date of closing. If the survey determines the area of the subject property to be more or less than 6,942.87 square feet, the purchase price shall be increased or decreased accordingly; and,

(iii) It shall be required to obtain site plan approval in connection with the subject property and the adjacent development. The Purchaser acknowledges and agrees that grading requirements (i.e. flood control), satisfactory to the Vendor in its capacity as municipality, shall be imposed in respect of the property. The Vendor agrees to provide to the Purchaser an Authority to Enter over its adjacent parcel to the east should same be required to effect such grading requirements; and,

(iv) The Purchaser shall complete the grading and associated works on the subject property in compliance with the above noted site plan by no later than 1998 December 31; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

ADDED - Offer to Purchase - Sale of City Lands being part of Cascade Street, Hamilton to Julius Kohl.

The Committee was in receipt of an added joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 21, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase, duly executed by Julius Kohl on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 65 Covington Street, Hamilton, having an area of 101.17 square metres (1,089 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $2,180 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $218 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied fora minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 65 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,089 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

ADDED - Offer to Purchase - Sale of City Lands being part of Cascade Street, Hamilton to The Estate of Philip Doyle (Mike Doyle)

The Committee was in receipt of an added joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 21, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase, duly executed by The Estate of Philip Doyle (Mike Doyle) on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 75 Covington Street, Hamilton, having an area of 179.34 square metres (1,930.5 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $3,860 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $386 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 75 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,930.5 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

ADDED - Offer to Purchase - Sale of City Lands being part of Cascade Street, Hamilton to Lorraine Doyle

The Committee was in receipt of an added joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 21, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase, duly executed by Lorraine Doyle on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 79 Covington Street, Hamilton, having an area of 153.28 square metres (1,650 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $3,300 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $330 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 79 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,650 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

ADDED - Offer to Purchase - Sale of City Lands being part of Cascade Street, Hamilton to Douglas Samson and Betty Samson

The Committee was in receipt of an added joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 21, respecting the above noted matter and approved the following:

(a) That an Offer to Purchase, duly executed by Douglas Samson and Betty Samson on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 95 Covington Street, Hamilton, having an area of 350.32 square metres (3,770.9 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $7,540 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $754 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 95 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 3,770.9 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

9. ACTING FIRE CHIEF - Requested report - Concerns of the Hamilton Professional Fire Fighters Association respecting the Night/Evening Home Inspection Program

The Committee was in receipt of an information report from the Acting Fire Chief dated 1997 April 16, respecting the above noted matter.

As a result of discussion on this matter, the Committee agreed to receive the above noted report for information, and to also ask that the Acting Fire Chief provide the Committee with a report to outline the City's Current Programme of Fire Prevention along with possible alternatives for Home Inspections.

10. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - Fleet Management Information System

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 April 3, respecting the above noted matter.

The Committee approved the following:

(a) That $175,000 be allocated to purchase a Fleet Management Information System, including $130,000 for software and licencing, Marcam Corporation and $45,000 for computer hardware, this being the City of Hamilton's portion of the joint purchase between the City and the Region; and,

(b) That the funds be allocated from the Reserve for Replacement of Mobile Equipment, the money created by forecasting and will not impact the approved 1997 budget allotment; and,

(c) That the tender be awarded to Marcam Corporation, the lowest estimated acquisition cost.

11. OTHER BUSINESS

Added correspondence was received Mary M. Pocius, Executive Director of Hamilton International Village to indicate her "regrets" for being unable to attend the next regularly scheduled Finance and Administration Committee to be held on Tuesday, 1997 May 6th, as she will be out of the country during this time frame. The Committee agreed to "receive" this correspondence.

12. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 April 22

City of Hamilton
Treasury

COMPARISON OF COMPONENTS AND TOTAL MILL RATES FOR THE YEARS 1993 TO 1997 INCLUSIVE

Description (1)	1993 (2)	1994 (3)	1995 (4)	1996 (5)	1997 (6)	Increase + Decrease – 1996 to 1997 Mills (7)	% (8)
Residential							
City	104.2203	104.2203	105.1413	105.1413	105.1413	0.0000 +	0.00 +
Region	107.0004	106.9719	110.1432	111.3252	112.0642	0.7390 +	0.66 +
Sub Total	211.2207	211.1922	215.2845	216.4665	217.2055	0.7390 +	0.34 +
Education – Elementary	117.3363	113.1485	120.0501	120.5303	141.4554	20.9251 +	17.36 +
– Secondary	72.8626	77.0493	77.3765	83.1289	65.1902	17.9387 –	21.58 –
Sub Total	190.1989	190.1978	197.4266	203.6592	206.6456	2.9864 +	1.47 +
Total Mill Rates	401.4196	401.3900	412.7111	420.1257	423.8511	3.7254 +	0.89 +
Non–Residential							
City	122.6121	122.6121	123.6957	123.6957	123.6957	0.0000 +	0.00 +
Region	125.8828	125.8493	129.5803	130.9709	131.8402	0.8693 +	0.66 +
Sub Total	248.4949	248.4614	253.2760	254.6666	255.5359	0.8693 +	0.34 +
Education – Elementary	138.0427	133.1159	141.2354	141.8004	166.4181	24.6177 +	17.36 +
– Secondary	85.7207	90.6462	91.0312	97.7987	76.6943	21.1044 –	21.58 –
Sub Total	223.7634	223.7621	232.2666	239.5991	243.1124	3.5133 +	1.47 +
Total Mill Rates	472.2583	472.2235	485.5426	494.2657	498.6483	4.3826 +	0.89 +

Notes: The 1997 mill rates were calculated based on the 1996 unrevised assessment for 1997 taxation.

Appendix "A" referred to in Section 1 of the **EIGHTH** Report of the Finance and Administration Committee for 1997

HAMILTON PUBLIC LIBRARY

55 York Blvd., PO Box 2700, Hamilton, Ontario, L8N 4E4.
Telephone (905) 546-3200 Facsimile (905) 546-3202

B.

RECOMMENDATION

Date: 22 April, 1997

Report To: Susan K. Reeder, Secretary
Finance and Administration Committee

From: Ken Roberts
Chief Executive Officer
Hamilton Public Library

Subject: **Closure of Hamilton Public Library Board Capital Project**

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919241005	Concession Library Expansion	$1,924,000	$1,817,951	$106,049

Ken Roberts, C.E.O.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Excess funding of $106,049 will be returned and will not need to be debentured by the City of Hamilton

BACKGROUND:

The Concession Library Expansion project was approved as part of the 1992 Capital Budget of the City of Hamilton with an authorized cost of $1,924,000 which was to be financed through debentures issued by the City of Hamilton. Construction of the Branch started in 1992 and was completed in 1994. Construction project accounts are normally kept open for a minimum of two years in order to fund any costs not covered by the two year warranty under the construction contract.

The total cost of the project amount to $1,817,951 which leaves an unexpended balance of $106,049 which is to be transferred to its original source of financing.

C.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 May 2nd

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Director of Culture and Recreation - Staffing Changes at the Coach House at Dundurn Castle - report dated 1997 April 16th

(b) Information Report - Director of Culture and Recreation - Contracts for Host/Hostess position at the Coach House at Dundurn Castle - report dated 1997 April 16th

(c) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1997 March 31st - report dated 1997 March 31st

(d) Information Report - Status of Hosting, Receptions and Related Accounts as at 1997 March 31st - report dated 1997 April 14th

(e) Recommendation from the Director of Culture and Recreation to the Parks and Recreation Committee respecting the Hamilton Museum of Steam and Technology - Restoration Account Centre No. CF 719241003 - report dated 1997 April 7th

(f) Information Report - Chief Administrative Officer and Director of Property - Tender to allow the leasing of advertising billboards on City lands - report dated 1997 April 17th

(g) Corrrespondence - Ministry of Municipal Affairs and Housing - April 24th Consultation/Information Session on the New Municipal Act - letter dated 1997 April 15th

(h) Minutes of the meeting of the Hamilton Status of Women Sub-Committee held on Monday, 1997 March 3rd

(i) Report from the Commissioner of Public Works and Traffic to the Transport and Environment Committee - 1997 Servicing Expenditures related to subdivisions - report dated 1997 April 24th

(j) Minutes of the meeting of the Hamilton Status of Women Sub-Committee held on Monday, 1997 April 7th

(k) Correspondence - Golden Horseshoe Co-Operative Housing Federation - Dangers in the Proposed Transfer of Social Housing to Municipal Governments - letter dated 1997 April 7th

Susan K. Reader.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997



Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL
MAY 20 1997
GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 May 20
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **MAYOR ROBERT M. MORROW**

   City representation at Dieppe - Alderman W. McCulloch

4. **TREASURER**

   (a) 1996 Financial Report - Note: The City Auditors will be in attendance at the meeting

   (b) Presentation - Current Value Assessment (no copy)

5. **HAMILTON MUNICIPAL RETIREMENT FUND SUB-COMMITTEE**

   H.M.R.F. Custodial Services Agreement (copy to follow)

6. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

(a) Supply & installation of motion sensors at various Recreation Facilities

(b) Cogeco Cable Solutions - Cable and Equipment Pedestal Installation - Hamilton Place Property - MacNab Street

7. **H.E.C.F.I. BOARD OF DIRECTORS**

Portable Vending Cart: Street Vendor Programme - Copps Coliseum

(a) Recommendation - Commissioner of Public Works and Traffic (copy to follow)

8. **CITY SOLICITOR**

Art Gallery Municipal Capital Facility Agreement and By-law (copy to follow)

9. **CORRESPONDENCE**

Chairman, The Board of Education for the City of Hamilton - Board of Education representative - Hamilton Public Library Board

10. **REFERRAL FROM CITY COUNCIL**

Correspondence from the Hamilton Harbour Commissioners respectin gthe Canada Marine Act, conveyance of Water lots 1 and 2, and surplus profits

11. **OTHER BUSINESS**

12. **ADJOURNMENT**

4. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1996 May 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1996 Financial Report

RECOMMENDATION:

a) That the 1996 Financial Report (attached) be approved.

b) That the City Treasurer publish the required 1996 Financial Information, based on the audited Report, in the Hamilton Spectator within the next 60 Days.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Annually the Treasurer is required to prepare and present to Council a Financial Report of the municipality. The attached report has been prepared by management and audited by the city's external auditors.

Financial Highlights:

The Consolidated Financial Statements of the City of Hamilton (City) are the representation of management and are prepared in accordance with the accounting policies prescribed for Ontario Municipalities by the Ministry of Municipal Affairs as set forth in the Municipal Financial Reporting Handbook. The Statements have been audited by the MacGillivray Partners, Chartered Accountants. They have provided an opinion, free of any qualifications, that these statements present fairly, in all material respects, the financial position of the City as at December 31, 1996. The following is a brief outline of each statement:

1. Consolidated Financial Statements.

The consolidated statements reflect the assets, liabilities, sources of financing and expenditures of the current fund, capital fund, reserve and reserve funds and include the activities of all committees of Council and all boards and municipal enterprises which are under the control of City Council (see note 1 to Consolidated Financial Statements).

In February, of 1997, the current fund surplus was projected as $947,000 prior to any Audit adjustments. Adjustments to inventory accounts in the amount of $187,000 and $128,000 reduced the 1996 surplus to $632,850. This surplus will be appropriated to various reserves. These appropriations were approved by City Council prior to closing the 1996 City books.

The capital fund has moved from being in an under financed position in 1995 to an over financed position in 1996. This is the result of having a debenture issue in 1996. 1997 Capital needs are expected to be met by internal financing and therefore no debenture issue is expected in 1997.

Although the reserve and reserve funds have increased by approximately $4.4 million contractual obligations and contingent liabilities have also increased (see note 13 to the consolidated financial statements).

2. Trust Funds

Trust funds and their related operations, administered by the City, are not consolidated but reported separately on the Trust Fund Statement of Continuity and Balance Sheet. A separate audit and opinion is provided by the Auditors.

3. The Hamilton Entertainment and Convention Facilities Inc. (H.E.C.F.I.)

Although the HECFI financial information is included in the Consolidated Financial Statements they are also prepared separately, by the management at HECFI and audited by MacGillivray Partners. As approved by City Council the excess of revenue over expense was transferred to the appropriate HECFI capital and current reserves (see HECFI Note 6).

4. The Hamilton Public Library Board (H.P.L.)

As with HECFI the Hamilton Public Library financial information is included in the Consolidated Financial Statements and are also prepared separately, by management at HPL and audited by MacGillivray Partners. The excess of revenue over expense of $111,000.

5. The Parking Authority of the City of Hamilton

The financial information of the Parking Authority is also included in the Consolidated Financial Statements and prepared separately by the Authority's management and audited by MacGillivray Partners. The excess of expense over revenue for the operations was $240,000. In addition the loan repayment for the year of $1.395 million increased the loss to $1.635 million for 1996. The loss was proportionately charged to the reserve and the Province of Ontario for its share of the underground parking at the Convention Centre.

Other Financial Reports, like the Hamilton and Scourge Foundation Inc. Hamilton Housing Company Limited (pages 51 to 61), The Hamilton Municipal Retirement Fund (pages 62 to 69),

Note: The audited report for the BIA's will be forwarded to Committee at a later date.

Hamilton Hydro (pages 70 to 79), Municipal Non-Profit (Hamilton) Housing Corporation (pages 80 to 89) are also included in the Financial Report for 1996. All of these are prepared by the management of the various organizations and audited by MacGillivray Partners, Chartered Accountants.

Mr. Wm. M. Cashion, the partner responsible for the City audit, will be present at the meeting should any committee member have any questions with respect to the audit. The annual management letter will be presented to the Committee and Council in July.

In conclusion , I would like to take this opportunity to express my appreciation for the excellent effort and co-operation of Mr. M. B. Chandrashekar, Supervisor of Accounting and his staff for co-ordination and preparation of the Financial Report, Mr. J. Leuser, Director of Finance & Adminstration at HECFI and Mr. B. Guise, Administrator at the Hamilton Library, for the preparation of their respective statements and Mr. Wm. M. Cashion and Mr. L. Celli of MacGillivray Partners for their professional manner in which they have conducted this audit.

CM
Attachments

6.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 6 MAY 8 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: The Supply and installation of Motion Sensors at various Recreation Facilities.

RECOMMENDATION:

(a) That approval be given to issue a purchase order in the amount of $102,559.50 inclusive of GST ($6,709.50) to E.S.I. Lighting Controls, 1020 Maitland ST. London Ontario for the supply, delivery and installation of motion sensors for the City of Hamilton at various recreation facilities, this being the lowest acceptable tender received in accordance with the specifications (C15-13-97) issued by the Purchasing Division; and,

(b) That the cost for this project be financed from Canada/Ontario Infrastructure Works Projects Energy Management Account # CF 809453014.

J.G. Pavelka D.W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be funded through the Canada/Ontario Infrastructure Works Energy Management Account # CF 809453014 and is within budget.

BACKGROUND:

In 1993 The Building Operations and Maintenance Division of the Property Department identified, calculated and determined that Motion Sensors were a cost effective way of saving energy. A plan was developed and implemented; to-date eight facilities have motion sensors controlling the lighting. This current recommendation calls for motion sensor installation at:

1) Sackville Hill Senior's Centre

2) Central Memorial Recreation Centre

3) Hill Park Recreation Centre

4) Huntington Park Recreation Centre

5) Norman Pinky Lewis Recreation Centre

6) Ryerson Recreation Centre

7) Jimmy Thompson Pool

8) Sir Wilfrid Laurier Recreation Centre

9) Twin Pad Arena

There were seven bid packages picked up.
No responce (4)
Unable to bid. (1)
Actual bids. (2)

		Total Contract Price
E.S.I. Lighting Controls	London,Ontario.	$102,559.50
Schaible Electric LTD	Hamilton,Ontario.	$119,179.65

JP/DWV/ghl

cc: P. Noé Johnson, City Solicitor
A. Ross, City Treasurer, Treasury Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance
R. Fair, Director of Culture and Recreation

6. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 8 MAY 8 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Joe Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Cogeco Cable Solutions
Cable and Equipment Pedestal Installation
Hamilton Place Property - MacNab Street

RECOMMENDATION:

a) That approval be given to Cogeco Cable Solutions (formerly Rogers Cablesystems) to construct, maintain and operate underground cable network, and one 2'-7" x 4' equipment pedestal on that portion of the City owned property upon which Hamilton Place is situate, more particularly being along the eastern wall of the building (Macnab Street) 30' north of Main Street West; and,

b) That an agreement between The Corporation of the City of Hamilton and Cogeco Cable Solutions be entered into, in a form satisfactory to the City Solicitor, prior to the commencement of the cable and equipment pedestal, installation; and,

c) That the installation on the City property be performed to the satisfaction of the Manager of Real Estate Division, Property Department; and,

d) That the term of the agreement be at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco Cable Solutions; and,

e) That Cogeco Cable Solutions be required to pay for the City's reasonable administrative costs incurred in the course of arranging this agreement, together with the City's reasonable legal expenses; and,

f) That Cogeco Cable Solutions shall pay to the City as consideration for the privilege of occupying City owned property, the sum of $100 per annum; and,

g) That the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Nominal annual revenue of $100 will be realized by the City. The Licensee will pay for the City's reasonable administrative and legal expenses incurred in arranging this agreement.

BACKGROUND:

Cogeco Cable Solutions, a company engaged in the business of electronic and fibre optic transmission of data for the purpose of communications, has approached the City with the request to construct, maintain, and operate cables and an equipment pedestal on that portion of City owned property occupied by the Hamilton Place Theatre. The exact location of the cable and equipment pedestal is shown within the circled area on the attached plan. The cable to be located underground will run in a north-south direction for a distance of approximately 50 feet along the east wall of Hamilton Place from a manhole in the sidewalk at the corner of MacNab and Main Street. The equipment pedestal measuring 4" high and 2'7 in width is to be located flush with the wall of Hamilton Place. Other utility pipes and meters are located along this wall as well.

The installation will not detract from the aesthetics of the building. The HECFI staff do not object to the location proposed for the pedestal. The installation will be carried out by qualified, bonded contractors and performed to the satisfaction of the Manager of Real Estate.

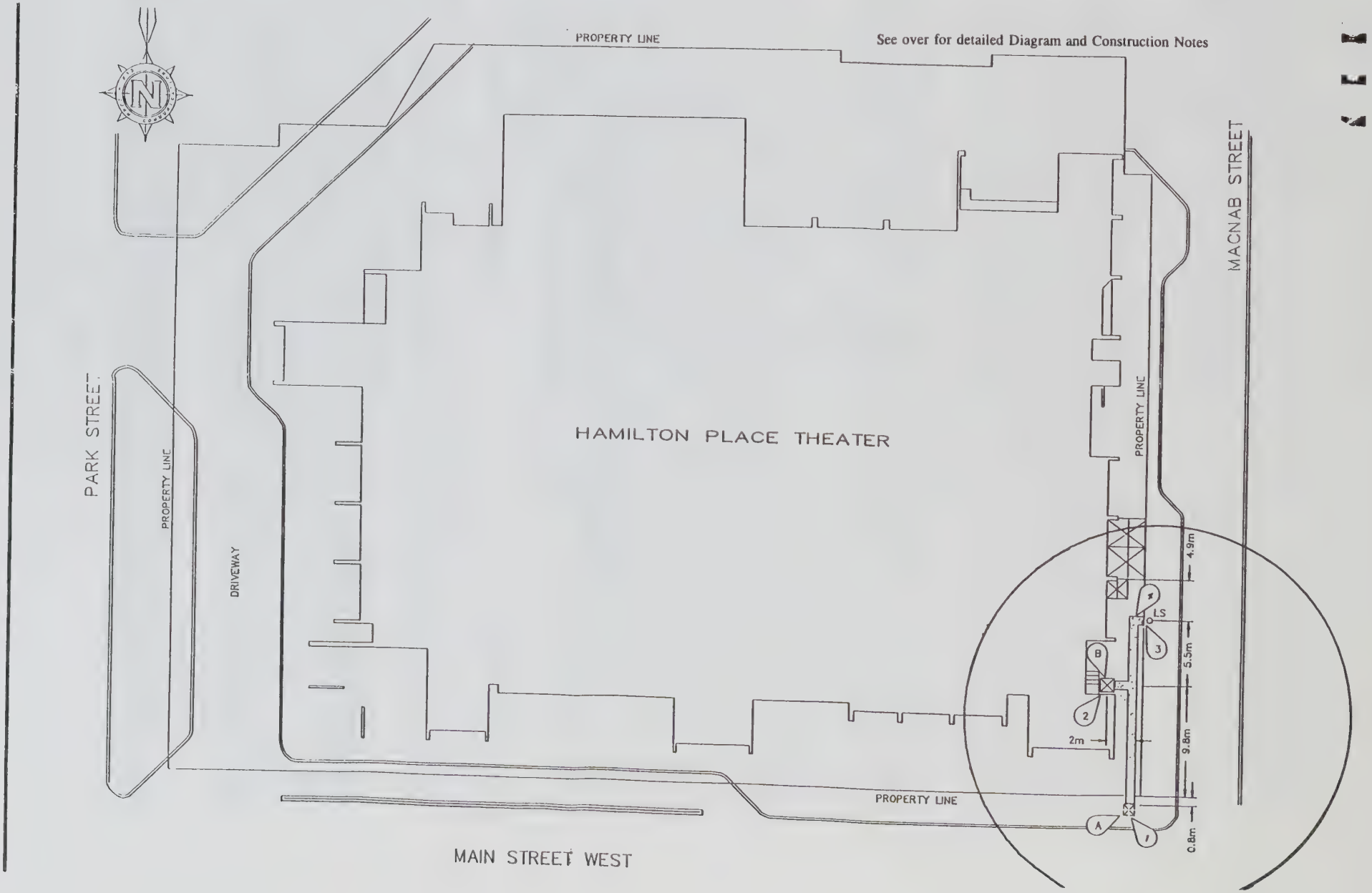
A formal written agreement will be finalized between the City and Cogeco prior to commencement of any work on the project. The agreement, among other things, will provide that Cogeco indemnify and save harmless the City against and from all actions, causes of action, interest, claims, demands, costs, damages, expenses or loss which the City may bear, suffer, incur or become liable for arising out of the City granting this privilege to Cogeco. The assumption of liability shall be in place during and after construction whilst the cable is in place.

Approval of this cable and equipment pedestal installation is not a permanent right, but is at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco by the City. A public liability and property damage insurance policy in the minimum amount of $3,000,000 naming the City as an insured party will be kept in force throughout the term of the agreement.

Cogeco will reimburse the City for its reasonable administrative and legal costs incurred in the course of arranging this agreement. Furthermore, Cogeco will pay an annual fee of $100 for the granting of this agreement.

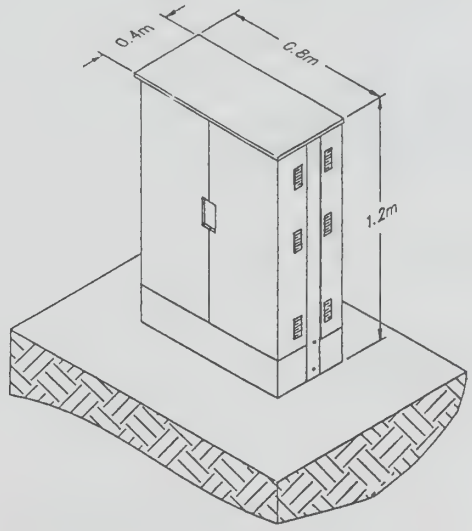
This installation will allow Cogeco to remove cable t.v. equipment currently placed in a Bell Canada manhole at the corner of Main Street West and MacNab Street, and to relocate it above grade. The pedestal and trenching adjacent to the wall of Hamilton Place will allow Cogeco to connect to an electrical source at a light standard above grade. As an added benefit, service technicians will have easier access to their equipment in the pedestal instead of having to tie up traffic at this busy intersection.

DWV/dcr
attch.
c.c. P. Noé Johnson, City Solicitor
Attention: L. Farr
M. Watson, Manager, Real Estate Division
Allan C. Ross, Treasurer
J. Cerio, Manager of Administration, Property Department


See over for detailed Diagram and Construction Notes
PROPERTY LINE
MACNAB STREET
PARK STREET
PROPERTY LINE
DRIVEWAY
HAMILTON PLACE THEATER
PROPERTY LINE
PROPERTY LINE
MAIN STREET WEST
4.9m
LS
5.5m
9.8m
2m
0.8m
A
B
1
2
3

SPE2048 PEDESTAL DETAIL

N.T.S.



CONSTRUCTION NOTES

(1) (2) TRENCH AND INSTALL TWO 10.6m SECTIONS OF NEW 75mmø (3") PVC TYPE 2 CONDUIT

(1) (4) TRENCH AND INSTALL 16.1m OF NEW 75mmø (3") PVC TYPE 2 CONDUIT CAPPED IN FM AND IN GROUND AT HYDRO POLE FOR FUTURE FIBER USE.

(2) (3) TRENCH AND INSTALL 6m OF NEW 75mmø (3") PVC TYPE 2 CONDUIT FOR POWER SUPPLY CABLE

(A) EXISTING FLUSH TO GRADE

(B) PLACE NEW SPE2048 PEDESTAL

NOTE: REMOVE AND REPLACE INTERLOCKING BRICK AS REQUIRED

"Copy sent to D. Farquhar, Manager of Administration, Public Works & Traffic Dept.; and J. Schatz, City Clerk, City Clerk's Dept. - 1997 May 2nd"

-RECOMMENDATION-

7.

APR 30 19

DATE: 1997 April 29

REPORT TO: Mrs. Susan Reeder, Secretary
FINANCE AND ADMINISTRATION COMMITTEE
THE CORPORATION OF THE CITY OF HAMILTON

FROM: Patricia Bennett, Secretary
H.E.C.F.I. Board of Directors

SUBJECT: **PORTABLE VENDING CART :**
STREET VENDOR PROGRAMME : COPPS COLISEUM

At its Regular Meeting held April 25, 1997 the H.E.C.F.I. Board of Directors approved the following recommendation:

THAT MANAGEMENT BE AUTHORIZED TO REQUEST THE CITY OF HAMILTON TO AWARD TO H.E.C.F.I. A VENDING LICENCE FOR A PORTABLE CART IN THE EXISTING VACANT LOCATION AT COPPS COLISEUM; and

THAT THE CITY BE REQUESTED TO ENFORCE ITS BY-LAW RESPECTING THE LOCATIONS AND BOUNDARIES OF EXISTING LICENCE HOLDERS.

Patricia L. Bennett

FINANCIAL IMPLICATIONS:

- H.E.C.F.I. currently has an agreement with Versa Services Ltd. for the provision of food and beverage concession services to Copps Coliseum. Under the terms of the agreement, H.E.C.F.I. receives a commission on the net revenue derived from all concession sales. A portable vending cart licenced to H.E.C.F.I. under the operation of Versa Services Ltd. would result in additional commission to H.E.C.F.I.

BACKGROUND:

- Currently one of two legally portable vending cart locations established within the City's Street Vendor Programme is in operation. This location is situated immediately adjacent to the Copps Coliseum Box Office, on the east side of Bay Street. The second location which is presently vacant is situated northerly along Bay Street, closer to the corner of York Boulevard.

- H.E.C.F.I.'s contractual agreement with Versa Services Ltd. will allow for the operation of a portable vending cart on the exterior of the Coliseum. The operation by Versa of a portable vending cart in the vacant Street vendor's Programme location, would provide both Versa and H.E.C.F.I. with the opportunity to participate in the sale of food and beverage items to patrons prior to their entry into the facility.

- In the past, it has been determined that a number of unlicensed vendors operate portable carts on and around Copps Coliseum. These vendors offer food and beverage items and event-related merchandise for sale. In this respect the H.E.C.F.I. Board respectfully requests the City's assistance in ensuring that the monitoring, control and enforcement of City By-Laws relating to unlicensed and illegal vendors is conducted in the area surrounding Copps Coliseum on event days.

The Board of Education for the City of Hamilton
Le Conseil de l'éducation de la ville de Hamilton

100 Main Street West
Hamilton, Ontario
Telephone (905) 527-5092
Fax (905) 521-2539

100, rue Main Ouest
Hamilton (Ontario)
Téléphone (905) 527-5092
Fac-similé (905) 521-2539

Chairman of the Board | **Président(e) du Conseil**

1997 05 05

9.

J. J. Schatz, City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear J. J. Schatz:

Re: Board of Education representative - Hamilton Public Library Board

Further to the correspondence between our respective offices relative to City Council's resolution requesting a list of nominee recommendations for appointment as School Board representatives to the Hamilton Public Library Board, I believe things have become unnecessarily complicated.

In response to our advertisement in the Hamilton Spectator in February, 1997 (at a cost of $990+), we received one application - Mark Davies. An interview was conducted and Mr. Davies was felt to be the person of the calibre necessary to fill the position. He is keen to serve.

The Hamilton Board of Education is not prepared to go through the process again as we feel we fulfilled our obligation under the Library Act.

Notwithstanding City Council's resolution, there is one name to bring forward. We respectfully submit Mark Davies' name to serve the remainder of the term as our representative on the Hamilton Public Library Board.

Sincerely,

Margaret Cunningham

Margaret Cunningham
Chairman

Mailing Address
P.O. Box 2558
Hamilton, Ontario
L8N 3L1

Adresse postale
C.P. 2558
Hamilton (Ontario)
L8N 3L1

10.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee	YOUR FILE:	
FROM:	Mr. J. J. Schatz City Clerk Office of the City Clerk	OUR FILE: PHONE:	 546-2727
SUBJECT:	Referral from City Council - Correspondence from the Hamilton Harbour Commissioners respecting the Canada Marine Act, conveyance of Water lots 1 and 2, and surplus profits	DATE:	1997 May 14

Please be advised that City Council at its meeting held Tuesday, 1997 May 13th agreed to refer the above-noted correspondence, as herewith attached, to the Finance and Administration Committee for consideration.

Accordingly, would you please place this matter before your Committee.

Susan K. Reeder
JJS/SKR JJSchatz.

Attachment

MAY 05 1997

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554

The Hamilton Harbour Commissioners

May 1, 1997

Mayor R. M. Morrow and Members of Council
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario, L8N 3T4

Dear Mayor Morrow and Members of Council:

We have for reply letters from the City Solicitor dated April 9 and 21, 1997 (copies attached). The matters raised in the letters were discussed at our Board meeting on May 1, 1997.

It appears that the first letter mistakenly anticipated the passage of the Canada Marine Act, which did not pass through the Senate. Therefore, there are no pending changes to the H.H.C. Act.

Under the H.H.C. Act, the Audit Department of the City may inspect the books of the Commissioners. It has been agreed that this includes a chartered accountant retained by the City for this purpose. We will co-operate in complying with Council's request. In turn, we would expect that the City will conduct its inspection in a manner so as to minimize disruption to our ongoing operations and to keep our business matters confidential. The latter point is particularly important as many Port users are in competition with facilities in other ports and, indeed, among themselves within the Port of Hamilton.

We have every confidence that our financial statements, which are independently audited each year and provided to both the City and to the Government of Canada, will be found to be in order.

We would like to make a few remarks on the matter of surplus profits.

The Commissioners manage the Port as a commercial entity with essentially all its revenues being earned in the marketplace (a small portion comes from imposed tolls). Our rates and charges are established at levels to derive sufficient revenue to operate and develop the Port. For many years additional outside capital was needed, particularly from the Government of Canada. Since the mid 1980's, a balance of sorts has been achieved so that the Commissioners have been able to conduct its operations and carry out Port development and improvements without any call on tax dollars. In addition, in recent years we have also been able to hold the line on any significant increases to Port charges. In fact, neither access to tax dollars nor rate increases is readily achievable in the commercial marketplace of the 1990's. This means that the Port must continue to grow and diversify in order to remain successful.

There is much to be done to keep the Port viable and progressive. Waterfront infrastructure is expensive to build and maintain. Indeed, on the land side, much of it is the same as the City's – that is roads, railroads, water mains, sewers, power grids, buildings and the like. On the water side, the Commissioners, again like the City, have had to pick up costs down-loaded from governments; most recently, significant expenses for dredging.

While it is not for us to pre-determine the results of the City's accounting, we would simply say that, to do all the foregoing and still generate additional funds for distribution to the City as surplus profits is, in our view, not a reasonable expectation. Indeed, the Commissioners do not view the generation of profits for distribution as a priority contemplated by the Act and have never, in our history, made such a distribution. We are also cognisant that were such a distribution to be considered, the Port's waterfront industries might well take the view that revenues which may be declared to be in excess of the Commissioners' actual needs ought not to be collected from them.

This is not to say that significant financial benefits do not accrue to the City from the Port. Annual property taxes generated from Port lands have been steadily growing and last year amounted to $2,770,456. The Commissioners have had some success in acquiring abandoned industrial lands and bringing them back into productive use; a practise which has come to be known as "brownfield development". EastPort continues to grow, having been stalled somewhat by the last recession, but we will see several new businesses locate there this year. Our Harbour West development continues to expand commercial and recreational activities to complement the park lands the City has developed. The Commissioners believe that the City will derive benefits from these and other H.H.C. projects far into the future.

In response to your request for Waterlots 1 and 2, the Commissioners advise that in addition to our regulatory powers, land ownership has always been an important component in the successful operation and development of the Port. The Commissioners have not declared any waterlots to be surplus to its needs. In contrast, the Commissioners have adhered, for over twenty-five years, to a policy of not selling its lands and waterlots. There have been rare exceptions, for example Pier 4 was granted to the City for park purposes in 1982. Presently the Commissioners are acquiring waterfront lands as they become available. In the West harbour, this practise is being held in abeyance for the time being so as not to conflict with the City's negotiations with C.N. for the waterfront trail.

All this is to say that the Commissioners do not wish to transfer Waterlots 1 and 2. This should not be viewed as in any way diminishing the Commissioners' desire to see this area of the Harbour develop in a manner that co-operates with the City to reflect the community's needs.

We apologize for the length of this letter but we value the progress made in developing an improved working relationship with the City and, therefore, wish to give a detailed explanation for our decisions.

In closing, we would ask that the City Clerk forward to us a copy of the Council's Resolution on the appointment of K.M.P.G. We will then be in contact with them to make the necessary arrangements for their attendance at our offices.

THE HAMILTON HARBOUR COMMISSIONERS

.....
Patrick J. Dillon, Chairman

.....
Duncan M. Beattie, Commissioner

.....
Laurel L. Wilson, Commissioner

i:\ah\rrh\270comm

Law Department

City of HAMILTON

71 Main Street West, Hamilton, Ontario, L8N 3T4
Tel. (905) 546-4520 / Fax (905) 546-2142

April 9, 1997

Mr. R. R. Hennessy, Port Director
Hamilton Harbour Commissioners
605 James Street N.
Hamilton, Ontario L8L 1K1

Dear Mr. Hennessy :

The Office of the Minister of Transport has recently advised us that the Canada Marine Act with amendments tabled as recently as March 13, 1997 is awaiting debate in the House, which is expected the week of April 7th, 1997. The City of Hamilton deems its appropriate at this time given the potential change of status, to document the current relationship. In keeping with this, the City of Hamilton has retained the services of Mr. J. A. McMyn a Partner with KPMG Peat Marwick Thorne, Chartered Accountants to review the Hamilton Harbour Commissioners' financial records. The Commissioners hold money from surplus profits as trustees for the City of Hamilton. To this end, we would like to arrange an opportunity for Mr. McMyn to review the Commission accounts with your financial staff. After a review of the annual statments, we have specific questions that, given the positive interaction with the City and its Harbour Commissioners, can be dealt with in this way. Please let me know when we can convene this meeting.

As you are no doubt aware, the City is actively pursuing the development of the WestHarbour Front for the recreational use by its residents and visitors. Further to the recent discussions, and consistent with the Hamilton Harbour Commissioners' Master Plan, Water lots 1 and 2 are surplus to the Commission's shipping and navigational operations. The plan for this area, concurred in by both the City and its Harbour Commissioners, is for open space recreational. The City of Hamilton now requests the transfer of water lots 1 and 2 back to the Corporation of the City of Hamilton forthwith. Once again, please advise me how we may assist you in this transfer.

Looking forward to hearing from you, I remain

Yours truly,

P. Noé Johnson
City Solicitor

Hamilton Harbour Commissioners
RECEIVED
APR 14 1997
LTR. No. 6368

Hamilton Harbour Commissioners
RECEIVED
APR 14 1997
LTR. No.

HAMILTON 150TH BIRTHDAY 1996

cc: Mayor R. Morrow
Alderman R. Charters, Chairman of Finance and Administration Committee
Alderman D. Drury, Chairman of Planning and Development Committee
Mr. Duncan Beattie, Commissioner, Hamilton Harbour Commission
Mr. J.A. McMyn, Partner, KPMG Chartered Accountants

City of HAMILTON

71 Main Street West, Hamilton, Ontario, L8N 3T4
Tel. (905) 546-4520 / Fax (905) 546-2142

April 21, 1997

Mr. R. R. Hennessy, Port Director
Hamilton Harbour Commissioners
605 James Street N.
Hamilton, Ontario L8L 1K1

Dear Mr. Hennessy :

Pursuant to my letter of April 9th, 1997, requesting a meeting with yourselves and the Chartered Accountants retained by the City to review the Hamilton Harbour Commissioners Financial Statements, (Mr. J. McMyn, KPMG), the attached list of questions has been prepared and which, if considered in advance of the meeting to be scheduled, will greatly assist in that review. If you have any specific points from this list that need clarification, please don't hesitate to contact Mr. McMyn directly at (416) 777 8818.

We look forward to your response. What is your earliest convenience for our meeting?

Thank you in advance for facilitating our request,

Yours truly,

P. Noé Johnson
City Solicitor

cc: Mayor R. Morrow
Alderman R. Charters
Alderman D. Drury
Duncan Beattie
J. A. McMyn, Partner, KPMG Chartered Accountants

Hamilton Harbour Commissioners
RECEIVED
APR 2 3 1997
LTR. No. 6388

INFORMATION REQUESTED

FROM

THE HAMILTON HARBOUR COMMISSION

In order to determine whether the Commission has surplus profits available to be paid over to the City of Hamilton, the City requests a response to the following questions:

1. **Reserve for Future Harbour Improvements**

   In the financial statements for the year ended December 31, 1995, the Commissioners have set aside a reserve of $10,399,956 for future capital expenditures and these funds have been invested in short-term deposits. With respect to these future capital expenditures, the City requests the following:

   i) A list of the projects included within these expenditures.

   ii) A copy of the economic studies and financial forecasts supporting the above projects showing the effect the expenditures will have on net revenues and cash flows.

   iii) Information on the present stage of each project e.g., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether a signed contract for construction has been completed.

2. **Five Year Capital Budget**

   In note 4 to the 1995 financial statements, the Commissioners are stated to have approved a 5 year capital budget in aggregate amount of $30,010,000. In respect of these budgeted expenditures, the City requests the following information together with documents supporting the information so far as they are available:

   i) A list of the projects included within these expenditures.

   ii) A copy of the economic studies and financial forecasts supporting the above projects showing the effect the expenditures will have on net revenues and cash flows.

   iii) Information on the present stage of each project e.g., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether a signed contract for construction has been completed.

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 May 20
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

(i) Minutes of the special meeting held on Tuesday, 1997 April 29th

(ii) Minutes of the regular meeting held on Tuesday, 1997 May 6th

B. **TREASURER**

(i) Supply and Delivery of Xerographic White Paper

(ii) Supply and Delivery of Janitorial Paper Products to various departments as required during 1997

(iii) Status of Development Charge Funds

C. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1997 April 29th
7:25 o'clock p.m.
Room 233, City Hall

A Special meeting of the Finance and Administration Committee met.

A. (i)

Present:	Alderman B. Charters, Chairman Alderman D. Ross, Vice-Chairman Alderman D. Wilson Alderman C. Collins Alderman D. Drury Alderman M. Kiss Alderman T. Anderson
Regrets:	Mayor R. M. Morrow - City business Alderman V. Agro - City business
Also Present:	Alderman H. Merling Alderman F. Eisenberger Alderman T. Jackson Alderman F. D'Amico J. Pavelka, Chief Administrative Officer J. Schatz, City Clerk and Acting Secretary

A G E N D A

WAIVING NOTICE OF MEETING

The Committee agree to move the following motion to waive the Notice of Meeting requirements:

> That sub-section (d) of Section 3 of the City's Procedural By-law 95-167 respecting the written notice to be given for the calling of a Special Meeting, be revoked in order to give consideration to a recommendation pertaining to a Personnel matter.

IN CAMERA

The Committee agreed to move In Camera to discuss a matter of a private and confidential nature.

REGULAR SESSION

The Committee moved back into regular session and approved the following motion for presentation to City Council:

(a) That Mr. Wesley Shoemaker be appointed as Fire Chief for the City of Hamilton within salary schedule C of the City's Non Union Compensation Plan; and,

(b) That the Chief Administrative Officer and the Commissioner of Human Resources be authorized to conclude negotiations for an employment contract under the terms and conditions agreed to.

ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

J. J. Schatz
Acting Secretary
1997 April 29th

A. (ii)

Tuesday, 1997 May 6
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss
Alderman V. Agro
Alderman T. Anderson

Also Present:
Alderman H. Merling
Alderman F. Eisenberger
J. Pavelka, Chief Administrative Officer
J. Schatz, City Clerk
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. Winn, Fire Prevention, Fire Department
D. Vyce, Director of Property
M. Watson, Real Estate Division, Property Department
J. Johnston, Commissioner of Human Resources
D. Lobo, Commissioner of Public Works & Traffic
R. Fair, Director of Culture and Recreation
L. King, Building Commissioner
B. Malone, Traffic Division, Public Works and Traffic
B. Morrison, H.S.P.C.A.
C. Kerr, Treasury
M. Mascarenhas, Municipal Non-Profit (Hamilton) Housing Corporation
L. Farr, Law Department
T. Whitehead, Mayor's Office
Susan K. Reeder, Secretary

A G E N D A

ADDED - The Treasurer spoke to the Committee with an Update on Megaweek - Provincial announcements. A summary handout was received by the Committee.

ADDED - Alderman Ross spoke to the Committee on behalf of the Canadian Football Hall of Fame and Museum Management Committee and a motion passed recently by them. In this regard, the Secretary was in receipt of a recommendation from them, and Alderman Ross spoke to their motion.

The Committee approved the following motion to staff for inclusion in considerations for Infrastructure program funding:

> That the City of Hamilton give priority to and apply for funds from the Infrastructure Program on behalf of the Canadian Football Hall of Fame and Museum Management Committee for the Exhibit Redevelopment Project in the amount of $520,000.

A. DELEGATION - Solicitor, Tim Bermingham, on behalf of the Hamilton Art Gallery - Tax exemption request

Representatives from the Hamilton Art Gallery were in attendance to speak to the Committee respecting the Realty Tax exempt status. Mr. Bermingham, Solicitor for the Art Gallery requested that the resolution and/or applicable by-law bring this status into effect 1997 January 1st.

The Committee then approved the following motion as presented to them in the report from the City Solicitor dated 1997 May 5th and entitled "Art Gallery of Hamilton - Agreement: Municipal Capital Facility - By-law to authorize agreement -Realty Tax exempt status":

(a) That a Bylaw to authorize a Municipal Capital Facility Agreement with the Art Gallery of Hamilton, under s. 210.1 of the Municipal Act be enacted; and,

(b) That the City Solicitor and the Director of Culture and Recreation negotiate the terms and conditions of a Municipal Capital Facility Agreement with the Art Gallery; and,

(c) That the Art Gallery of Hamilton be declared a Municipal Capital Facility serving a municipal purpose, and with a public use.

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR - City of Hamilton -ats- Jodi Baker Martin; Ontario Court (General Division); Action No. 7101/89

(a) That the City resolve Ontario Court (General Division) Action No. 7101/89 by the payment to the Plaintiffs, Jodi Baker Martin, Robert Martin, Donn Baker, Mary Jane Baker, Amanda Stajtos, of the sum of $28,500, inclusive of damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 7101/89 be dismissed without costs.

BB. TREASURER - Write-off of Outstanding Business Taxes

That Outstanding Business Taxes in the amount of $534,727.75 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account No. CH53401 24106, Tax Write-Offs.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 April 22nd, and approved these minutes as circulated.

B. HAMILTON PUBLIC LIBRARY BOARD - Closure of Hamilton Library Board Capital Project

The Committee was in receipt of a report from the Chief Executive Officer of the Hamilton Public Library dated 1997 April 22, respecting the above noted matter.

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919241005	Concession Library Expansion	$1,924,000	$1,817,951	$106,049

C. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 May 2, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Director of Culture and Recreation - Staffing Changes at the Coach House at Dundurn Castle - report dated 1997 April 16th

(b) Information Report - Director of Culture and Recreation - Contracts for Host/Hostess position at the Coach House at Dundurn Castle - report dated 1997 April 16th

(c) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1997 March 31st - report dated 1997 March 31st

(d) Information Report - Status of Hosting, Receptions and Related Accounts as at 1997 March 31st - report dated 1997 April 14th

(e) Recommendation from the Director of Culture and Recreation to the Parks and Recreation Committee respecting the Hamilton Museum of Steam and Technology -Restoration Account Centre No. CF 719241003 - report dated 1997 April 7th

(f) Information Report - Chief Administrative Officer and Director of Property - Tender to allow the leasing of advertising billboards on City lands - report dated 1997 April 17th

(g) Correspondence - Ministry of Municipal Affairs and Housing - April 24th Consultation/Information Session on the New Municipal Act - letter dated 1997 April 15th

(h) Minutes of the meeting of the Hamilton Status of Women Sub-Committee held on Monday, 1997 March 3rd

(i) Report from the Commissioner of Public Works and Traffic to the Transport and Environment Committee - 1997 Servicing Expenditures related to subdivisions - report dated 1997 April 24th

(j) Minutes of the meeting of the Hamilton Status of Women Sub-Committee held on Monday, 1997 April 7th

(k) Correspondence - Golden Horseshoe Co-Operative Housing Federation - Dangers in the Proposed Transfer of Social Housing to Municipal Governments - letter dated 1997 April 7th

REGULAR AGENDA

3. MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION - Coronation Park Housing Corporation Limited

The Committee was in receipt of a memorandum from the General Manager of the Municipal Non-Profit (Hamilton) Housing Corporation dated 1997 April 22, respecting the above noted matter.

The Committee approved the following:

That the information from Coronation Park Housing Corporation Ltd., be directed to the General Manager of the Municipal Non-Profit (Hamilton) Housing Corporation for review and report back to the Finance and Administration Committee on the Corporation's status and its future relationship with the City.

4. CITY SOLICITOR

(a) Requested additional information respecting a By-law to amend By-law No. 84-191 respecting the Keeping of Animals (tabled from previous meeting)

The Committee was in receipt of an information report dated 1997 April 29, from the City Solicitor, respecting the above noted matter.

The Committee was also in receipt of a memorandum from the Secretary of the Finance and Administration Committee dated 1997 April 24, respecting the above noted matter.

As a result of discussion on concerns respecting the number of animals allowed as well as regulations respecting the keeping of vicious dogs, it was agreed that a Task Force consisting of Alderman Drury and Alderman Collins would meet with the appropriate staff to review the proposed by-law amendments and report back to the Committee.

(b) Proposals for a New Municipal Act, 1997

The Committee was in receipt of a report from the City Solicitor dated 1997 April 29, respecting the above noted matter.

The Committee approved the following:

> That the Province be requested to circulate the entire draft Bill of the new Municipal Act in advance of First Reading to enable an understanding of the legislation and meaningful public discussions and comment.

5. CORRESPONDENCE REFERRED FROM CITY COUNCIL - Survey of Fire Defences of the City of Hamilton

The Committee was in receipt of a memorandum from the City Clerk dated 1997 April 30, respecting the above noted matter.

As a result of discussion on this Survey, it was agreed that the Chief Administrative Officer would forward this Survey to the newly appointed Fire Chief for his review and report back to the Committee with his comments.

6. CHIEF ADMINISTRATIVE OFFICER AND ACTING FIRE CHIEF - Emergency Vehicle Replacement

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Acting Fire Chief dated 1997 April 30, respecting the above noted matter.

The Committee was also in receipt of a report from the Treasurer dated 1997 April 30, respecting the financing of the above noted matter.

Following discussion, the Committee agreed to approve the recommendation on this matter, on the condition that this proposed recommendation was reviewed by the new Fire Chief for his concurrence prior to the meeting of City Council for its consideration.

The Committee then approved the following:

(a) That the purchasing process to replace the Hamilton Fire Department Snorkel Truck, City #1671, commence immediately at an estimated cost of $800,000 with the replacement vehicle delivery and payment scheduled for early 1998; and,

(b) That the present Snorkel Truck, City #1671 be decommissioned and offered for sale; and,

(c) That the City Treasurer be authorized to advance $800,000 from the 1998 Capital Budget for the replacement of the Hamilton Fire Department Snorkel Truck, City #1671 and the cost be financed by the Reserve for Replacement of Motorized Equipment, Account Centre No. CH 00101; and,

(d) That the City Treasurer be authorized to revise the 1997-2006 Capital Budget Program and to reduce 1998 Project No. 56.1 Fire Department - Vehicle/Apparatus Replacement by $800,000 from $1,870,000 to $1,070,000.

ADDED - Jim Winn of Fire Prevention responded to a question respecting the effectiveness of the new Heat Camera which detects heat sources. Mr. Winn responded that this new equipment has been of tremendous use and very effective in fire fighting. He indicated that this equipment allows detection of heat sources with minimal disruption to walls and piping that have had to be done in the past, and he gave reference to a number of instances when the heat camera was used.

8. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - Leasing Supplier for PC Workstations, Printers, File Servers, and Network Equipment**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Information Systems dated 1997 April 14, respecting the above noted matter, and approved the following:

(a) That IBM Canada Limited of Markham, Ontario provide leasing services for PCs, printers, file servers and network equipment for a maximum one year period to 1998 April 30th, at the base rate of $26.55/$1,000/month for a 36 month operating lease and $30.65/$1,000/month for a 36 month Capital lease, (the lowest of ten proposals received); and,

(b) That the IBM be permitted to adjust the leasing rate, subject to approval by the Treasurer, during the contract period in accordance with documented fluctuations in the yield on Government of Canada Bonds; and,

(c) That decisions to acquire equipment via an operating, or capital lease, or purchase be made, in consultation with the Treasurer; and,

(d) That the Mayor and the City Clerk be authorized to execute the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor, the City Treasurer and the Director of Information Systems (the City of Hamilton is the lessee); and,

(e) That funding be provided from Account # CH56605-26032 (Workstation Leasing).

9. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY - Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property - 16 Magill Street

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 April 29, respecting the above noted matter.

The Committee approved the following:

(a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 16 Magill Street

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

10. CHIEF ADMINISTRATIVE OFFICER - 1997 Christmas Closure

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 April 22, respecting the above noted matter, and approved the following:

That in addition to the traditional closure of City Hall and some other municipal facilities and services for the period between Christmas and New Year's, that approval be granted to also close on Friday, 1998 January 2 as part of the 1997 Christmas closure.

11. CHAIRMAN, HECFI BOARD OF DIRECTORS - Barrier Free Standards Compliance - HECFI Facilities

The Committee was in receipt of a memorandum from the Chairman, HECFI Board of Directors dated 1997 April 21, respecting the above noted matter.

The Committee was also in receipt of a joint information report from the Director of Culture and Recreation and the Building Commissioner dated 1997 May 1, respecting the above noted matter.

The following staff direction was approved:

That the Director of Culture and Recreation and the Building Commissioner prepare a revised Infrastructure Program in order to include the revisions to the HECFI Buildings to bring them into compliance with the City of Hamilton Barrier Free Design Standards at an estimated cost of $111,000, as contained in the submission from HECFI, and report to the Parks and Recreation Committee.

13. REFERRAL FROM CITY COUNCIL - Request from Flamboro Downs - City's approval for two proposed Teletheatre locations

The Committee was in receipt of a memorandum from the City Clerk dated 1997 May 2, respecting the above noted matter.

Alderman Ross declared personal interest in, took no part in the debate and refrained from voting on this matter as his wife is an M.P.P. - Lillian Ross who is a Parliamentary Assistant to the Minister of Consumer and Commercial Relations.

Following discussion on this matter, the Committee approved the following:

That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved.

ADDED - Hamilton Status of Women Sub-Committee - request to fill three vacancies

Alderman Wilson spoke to the Committee on behalf of the Hamilton Status of Women Sub-Committee and indicated that the Sub-Committee currently has three vacancies.

Following discussion on this matter by the Committee, it was agreed that the regular procedures should be followed whereby staff ensure that all positions on Committees are filled when the new terms of office occur.

ADDED - CITY SOLICITOR - THE HAMILTON SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS - TAX EXEMPTION

The Committee was in receipt of an Added Report from the City Solicitor dated 1997 May 2nd respecting the above noted matter.

The Committee approved the following:

(a) That a By-law to exempt the Hamilton Society for the Prevention of Cruelty to Animals shelter at 245 Dartnall Road for municipal and school taxes be enacted; and,

(b) That the City Clerk give Notice of passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and the Regional Clerk of the Regional Municipality of Hamilton-Wentworth and to the Secretaries of the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board.

16. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 May 6

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 1

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Supply and Delivery of Xerographic White Paper

RECOMMENDATION:
That a purchase order be issued to Grand & Toy, Hamilton, for the supply and delivery of xerographic white paper to various departments as and when required during 1997, being the lowest of eight (8) tenders received in accordance with specifications issued by the Hamilton Board of Education on behalf of the City of Hamilton and members of the Hamilton-Wentworth Co-op Purchasing Group and financed through various approved accounts.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:
Tenders were received by the Board of Education requesting pricing for yearly requirements of legal and letter size white xerographic paper of the Purchasing Co-op members. Members consist of all Municipalities within the Hamilton-Wentworth Region, all school boards, Conservation Authority. and Stoney Creek Hydro. The following tender totals are based on the estimated yearly usage for the City of Hamilton only.

Fine Paper Tender Analysis - Xerographic White

Co-op Tender 1997

Vendor	Letter Size Per case	Total Cost (1910 cases)	Legal Size Per case	Total Cost (440 cases)	Total Bid (taxes extra)
Grand & Toy	***$25.00***	***$47,750.00***	***$32.00***	***$14,080.00***	***$61,830.00***
Graphic Paper	$25.25	$48,227.50	$32.15	$14,146.00	$62,373.50
AMB	$25.25	$48,227.50	$32.20	$14,168.00	$62,395.50
Unisource	$25.75	$49,182.50	$32.85	$14,454.00	$63,636.50
Compu-Redi Tenex	$26.60	$50,806.00	$33.90	$14,916.00	$65,722.00
Coast Paper	$27.00	$51,570.00	$34.50	$15,180.00	$66,750.00
Buntin-Reid	$27.15	$51,856.50	$34.60	$15,224.00	$67,080.50
Canada Wide	$29.15	$55,676.50	$37.10	$16,324.00	$72,000.50

Quantities are yearly estimates for all City Departments

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 1

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Supply and delivery of Janitorial Paper Products to various departments as required during 1997

RECOMMENDATION:

That a purchase order be issued to Unisource Canada Inc., Mississauga, for the supply and delivery of janitorial paper products as and when required during 1997, being the lowest of eleven (11) bids received in accordance with specifications issued by the Purchasing Department and the Vendor's tender, and be financed through various approved accounts.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

Allan C. Ross

BACKGROUND:
Tender totals based on estimated yearly usage of six categories of Janitorial Paper products. (for details, see attached tender analysis)

Unisource Canada Inc.	$ 75,786.00
Flexo Products	83,523.75
Bass Paper Products	84,649.75
G.T. French	85,051.20
Radigan Brothers	85,140.75
Tennier Products	86,760.20
Bunzl Canada	92,558.90
Swish Maintenance	108,239.50

Wood-Wyant-incomplete bid (4 items), Arch Industries, Don Cassleman-incomplete bids (2 items).

Tender Analysis C20-11-97

Janitorial Paper Products

City of Hamilton

Description	Bunzl Cda/Lilo	Unisource Cda	Wood - Wyant	Flexo Products	G. T. French	Tennier	Swish Maint.	Radigan Bros	Bass Paper	Arch Industries	Casselman
Singlefold #1 White Paper / total bid	$8,842.40	$7,756.00	$9,464.00	$9,380.00	$8,008.00	$9,335.20	$10,304.00	$9,430.40	$9,128.00	$0.00	$0.00
Towels, 9.5 x 10.75 Qty 560 / unit pri	$15.79	$13.85	$16.90	$16.75	$14.30	$16.67	$18.40	$16.84	$16.30	$0.00	$0.00
Multifold # 1 White Paper - Qty 1650	$31,267.50	$22,852.50	$26,812.50	$27,802.50	$23,479.50	$27,967.50	$30,360.00	$27,340.50	$27,390.00	$0.00	$0.00
Towels, 9.5 x 10.75	$18.95	$13.85	$16.25	$16.85	$14.23	$16.95	$18.40	$16.57	$16.60	$0.00	$0.00
Toilet Tissue, 1 Ply - 1000 sheets	$17,500.00	$17,675.00	$19,643.75	$18,156.25	$17,972.50	$18,480.00	$19,232.50	$18,068.75	$18,068.75	$0.00	$0.00
48 rolls per case - Qty 875	$20.00	$20.20	$22.45	$20.75	$20.54	$21.12	$21.98	$20.65	$20.65	$0.00	$0.00
8" Roll White Paper Towel x 205 ft/roll	$1,600.00	$1,368.00	$1,476.00	$1,720.00	$1,391.20	$1,600.00	$1,728.00	$1,565.60	$1,568.00	$0.00	$0.00
24 rolls per case - Qty 80	$20.00	$17.10	$18.45	$21.50	$17.39	$20.00	$21.60	$19.57	$19.60	$0.00	$0.00
Kimberly Clark KC 35401, 6 rolls/case	$20,367.00	$18,166.50	$0.00	$16,875.00	$20,808.00	$18,877.50	$29,025.00	$18,463.50	$18,225.00	$20,812.50	$20,344.50
9.75 " wide x 275' recycled - Qty 450	$45.26	$40.37	$0.00	$37.50	$46.24	$41.95	$64.50	$41.03	$40.50	$46.25	$45.21
Kimberly Clark KC 35421, 4 rolls/case	$12,982.00	$7,968.00	$0.00	$9,590.00	$13,392.00	$10,500.00	$17,590.00	$10,272.00	$10,270.00	$13,650.00	$12,718.00
19.5 " x 275 ' wide recycled - Qty 200	$64.91	$39.84	$0.00	$47.95	$66.96	$52.50	$87.95	$51.36	$51.35	$68.25	$63.59
TOTAL BID	$92,558.90	$75,786.00	$57,396.25 partial bid	$83,523.75	$85,051.20	$86,760.20	$108,239.50	$85,140.75	$84,649.75	$34,462.50 partial bid	$33,062.50 partial bid
Economatic "Brand" bid	Atlantic	*Scott	no bid	*Bay West	no bid	Atlantic	*Bay West	Atlantic	Atlantic	no bid	no bid
Kimberly Clark "Brand" bid	K. C.	*Scott	no bid	*Mighty wipe	K. C.	*Scott	K. C.	*Scott	*Scott	* Arch Brand	* Cassleman
Paper products bid	Atlantic	Perkins	Wyant	Bay West	Perkins	Atlantic/Scott	Bay West	Scott	Atlantic/Scott	no bid	no bid

*indicates alternative brand

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 12

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Status of Development Charge Funds

RECOMMENDATION:

That the attached analysis of the transactions of the City's development charges reserve for the year 1996 be received.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Section 17 of Bill 20, "An Act to Provide for the Payment of Development Charges" requires the Treasurer to submit a statement of the City's development charges reserve each year on or before such date as directed by Council. In accordance with the resolution of the Finance and Administration Committee on October 8, 1992 a summary analysis of the activities in this reserve for the year 1996 is noted as follows:

		Total $
Balance as at Jan. 1/96		4,932,015
Development charges received or receivable		736,257
Development charges refunded		(1,822)
Interest earned		247,058
		5,913,508
Amounts transferred to the capital fund:		
Traffic signal modernization	(74,000)	
Storm Water Retention System	(50,000)	(124,000)
Amounts allocated for reduction of current debenture charges		(600,000)
Balance as at Dec. 31/96		5,189,508

Attached is Appendix "A" which indicates the balances in each category of the Revenue Fund as at December 31, 1996. You will note that there is a negative balance in the Storm Water Retention category as of that date. This is a temporary situation which will exist until sufficient funds are available from future development in the area, and is offset by positive balances in the other functional areas.

TWD:cls
Attach.

c.c. P. Noé Johnson, City Solicitor

Appendix "A"

Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1996 to December 31, 1996

	Total $	Indoor Recreation $	Outdoor Recreation $	Library Buildings & Materials $	Traffic Signals $	Parkland Acquisition $	Vehicles & Equipment $	Studies $	Engineering (area specific) $	Storm Water Retention $	Fire Stations $
Balance as at Jan 01, 1996	4,932,015	1,733,720	1,057,868	791,446	73,079	22,459	5,868	118	336,651	0	910,806
Development charges received or receivable	736,257	172,084	215,584	83,588	5,691	136,437	35,649	714	86,510	0	0
Development charges refunded	(1,822)	(426)	(533)	(207)	(14)	(338)	(88)	(2)	(214)	0	0
Interest earned	247,058	77,819	58,675	43,730	(709)	7,926	2,071	41	21,142	(2,499)	38,862
	5,913,508	1,983,197	1,331,594	918,557	78,047	166,484	43,500	871	444,089	(2,499)	949,668
Transferred to: Capital Fund	(124,000)	0	0	0	(74,000)	0	0	0	0	(50,000)	0
Amounts allocated: Reduction of current debentures	(600,000)	(348,569)	(99,116)	0	(18,946)	0	0	0	0	0	(133,369)
Balance as at December 31, 1996	5,189,508	1,634,628	1,232,478	918,557	(14,899)	166,484	43,500	871	444,089	(52,499)	816,299

C.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 May 16th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - The Hamilton-Wentworth Roman Catholic Separate School Board - mill rate request - letter dated 1997 May 2nd

(b) Information Report - Manager of Fleet Services - Tenders C8-97 - report dated 1997 April 29th

(c) Information Report - Acting Fire Chief - 1996 Hamilton Fire Department Annual Report - report dated 1997 May 8th

(d) Information Report - Requested report respecting fire prevention - Acting Fire Chief - report dated 1997 May 9th

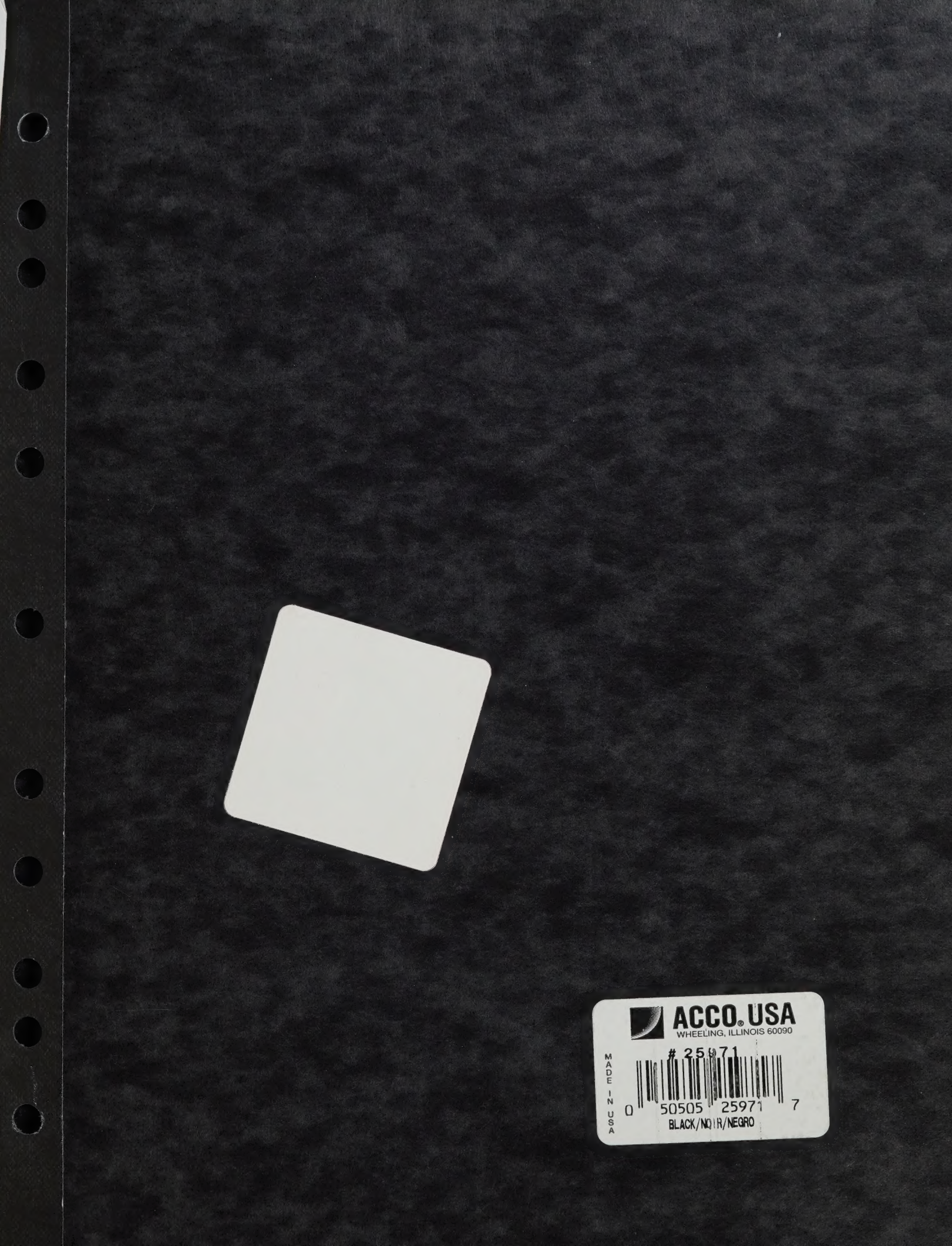
Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.


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